

CHINESE REPOSITORY.

 VOL. VIII.—AUGUST, 1839.—No. 4.

ART I *Sketch of Spanish Colonial intercourse in Eastern Asia; government of Valdes, de la Torre, Arcecheterra, and Arizala.*
 (Continued from page 112.)

THE third century, of the annals we are tracing, opens with some account of peaceful advances made by the sultan of Súlú, which were met, on the Spanish side, by the mission of an envoy to that piratical capital. A restoration of captives, a system of licenses or safe-conducts for vessels, &c., were the fruits of this negotiation. While the colony gained something on this side, in the safety of its coasting trade, it sustained, the same year (1726), a severe blow in the loss of the San Christo de Burgos, one of its richest galleons. Two years after, the vacant archbishopric was refilled by the appointment of don C. B. G. de Castro. He touched at the Marianas, on his voyage to Manila, and there exerted himself for the conversion of the islanders. Among the children, brought to him at the font, was one — an infant — which could not be induced to return to the mother's breast, until she too had submitted to Christian baptism. A twelvemonth after, death removed him from the new scene of his labors. The treaty with Súlú did not long secure the colony from piratical depredations. Before Torre Campo's administration closed, it had become necessary to send a naval force to repress these incursions. The treasury being too low to afford this extraordinary outlay, the citizens were called on for a forced loan or 'benevolencia.' This is by no means the only instance the Philippine records supply, of a resort to involuntary contributions. In the case of this remote colony, as yet unable to support itself, and depending on the regular

receipt of the Mexican subsidy, the recourse was perhaps necessary. The colonial authorities were further supported in these impolitic 'ways and means,' by the example, not of Asiatic states alone, but of European also; e. g. by that of Great Britain down to the time of Charles II.

The expedition thus fitted out, was so far successful, as to inflict a severe chastisement on the coasts it visited. Whether these blows fell upon the guilty or the innocent, does not appear, but we have our author's assurance that, 'se-mato infinita canalla.'

This was the last public act of Torre Campo. He was succeeded in August, 1729, after eight years' government, by don Fernando de Valdes y Tamon, the 22d captain-general, &c., of the colony. De Valdes was a military officer, and proceeded, as usual, to examine and expose the destitution of the troops, magazines, &c. To replenish these last, a vessel was dispatched to Batavia, to purchase arms, &c., but the Dutch authorities refused to grant the supply asked, although they had done so on a former occasion.

Again, in 1731, a hostile armament was sent to Súlú, notwithstanding Torre Campo's treaty. Its track, after reaching that group, was marked by the destruction of boats, the desolation of towns, &c. The next year, the expedition was repeated, and its ravages extended to Mindanao, Basilan, and other islands. It will be seen hereafter, that these retaliatory enterprises, while they wore the appearance of success, did nothing toward breaking the spirit or force of the islanders.

In June, 1733, a fire broke out at Cavité, which consumed a great part of the stores, &c., prepared for the galleon, about to sail for Acapulco. It was not necessary now, however, to lay 'benevolences' on the colonists to repair these losses. The fear of losing the annual shipment was enough, and they came forward with \$30,000 as a contribution to the royal service. De Valdes accepted the offering, and memorialized the throne in behalf of the 'ever-loyal' citizens.

These years — 1730 to 1733 — again supply some references to attempts made to civilize and Christianize the natives of the Carolines. A party of these having again been thrown by shipwreck, on the coast of Luzon, they were reconveyed to their native group, by way of the Marianas. The energetic father who accompanied them home, remained with them, and for a time, obtained an unmolested residence, and baptized many. He seems not to have been well supported, however; and falling a victim at last to the fierceness of the people, his fate again deterred the colonists from prosecuting the intercourse.

We are now upon a period marked by a long commercial contest, growing out of the rival interests of the merchants of Spain and the Philippines. In order to understand and follow the quarrel, it is necessary to premise, that soon after a trade sprung up between the newly-founded city of Legaspi, and Acapulco, the Cadiz merchants saw or foresaw the effect of direct importations of Chinese and Indian goods on the markets of Mexico. The infant state of the new colony at first limited the traffic; but by 1604, the Spanish interest had procured a restriction by royal order, to an annual shipment of *one* cargo from Manila, costing not over \$250,000, and the returns for which must not exceed \$500,000. *Americans* were forbidden to have any interest in these cargoes. This close limitation was evaded by false valuations, but it continued in legal force, till 1702, when the amounts were raised to \$300,000 and \$600,000. Probably throughout this long period, the actual commerce was at least double the licensed amount, and yet this was a fatal check on the development of the resources of the Philippines. To carry on this unnatural system, it was necessary to provide galleons of great size, whose construction was scarcely ever equal to the legal service required, and still less to the double load of licit and illicit lading. Hence the history of the galleons is full of disasters, every one of which cost the annual commercial harvest of the colony. To navigate and guard vessels of such size and value, they were placed on the footing of ships of war, and commanded and manned accordingly. The cargo of each galleon was represented by 1000 tickets of three bales each, and these were allotted — one half to the members of the board of trade (colonists entitled to trade), and one half to the ecclesiastical chapter, the municipality, widows of officers, &c. The freight on these tickets was estimated at \$200 each, equal to \$200,000 per voyage. The cargo paid 30 per cent. duties.

This system had been maintained so long by a sort of royal compromise between the demands of Spanish merchants and manufacturers, and the desire to favor a remote and feeble colony. Meantime, England and Holland were yearly drawing larger and larger supplies of goods from India, China, &c., and pouring them, through illicit channels, into the markets of Spanish America. The Manila merchants felt the effects of this new competition in the reduced profits of the Acapulco 'fairs,' but they had no remedy. The merchants of the peninsula suffered still more, and ascribed the disastrous change to the excessive importations on the west coasts of Mexico. Their strongest argument was, that the looms of Spain were stopped, and their

workmen driven from employ, by the cheaper fabrics of India and China. These representations had their influence, so far as to procure a royal order to be transmitted to Mexico, that after six months, the galleons should be confined to spices, wax, porcelain, &c., and that the importation of silk and silken goods not Spanish, should be held contraband.

When this order reached the viceroy of New Spain, he applied to it, a rule of great authority in Spanish colonial affairs, as respects unwelcome commands, 'to obey, but not to fulfil.' He represented that Spanish colonisation in Eastern Asia, and with it, the extension of the faith there, could not but suffer severely by orders like these. In his own government too, he stated that the people were so far dependent on importations from Manila, that the arrival of one galleon was a greater event with them, than a whole fleet from Spain. When his statements, including a reference to the loss which the treasury would sustain, were laid before the 'council of the Indies,' the subject was reconsidered, and a sort of compromise struck, between the conflicting interests at work, abroad and at home. It was settled, that the trade from Manila to Acapulco should henceforth be carried on in two ships of 500 tons (instead of one of 800 or 1200), whose joint cargoes should not exceed \$300,000, subject to \$100,000 duties, and from which, silk piece-goods should be excluded, under forfeit of treble values. This decision showed the ascendancy of the domestic interest, as well as the narrow commercial spirit of the time. The order, conveying it, was dated in 1720, but an influence was at work, which delayed its publication in Mexico till 1724. Scarcely two years elapsed, when the old system of one galleon was reverted to, and silks again permitted. Four or five years later, and the home interest was again active. The decay of domestic industry was brought forward anew, and the Manila merchants were again thrown into confusion by the intimation, received from the Mexican authorities in 1732, that the old restrictions were to be revived. The city took the alarm, and prepared, in bar of these harsh renewals, a long and able plea. This document was designed to prove, what was probably the fact, that the Spanish sales in Mexico were interfered with, not by the 500 cases of silks sent annually from Manila, but by the illicit importations made under other flags. Evidence was brought, that the heavy purchases of the English, Dutch, and others at Canton, were made with silver from the mints of Spanish America, and it was argued that, for these \$3,000,000 or \$4,000,000 of specie, their cargoes of silks were the return. The city further

proved the decay, that had fallen on its commerce during the former suspension, and pressed its suit, in the 'royal and pious ears' of his majesty, by its sufferings, its loyalty, its distance on the outposts of the colonial establishment, and its services in the Catholic cause.

While this appeal was made to the court of Madrid, the governor convoked the leading officers and citizens, to consult them on the reintroduction of the regulations then just received. Their decision was, that there was no absolute necessity to enforce provisions, so disastrous to the colony, until direct and explicit orders came. The governor yielded to these opinions, and suffered the shipments of silks, &c., to go on. This permission would not, however, have availed against a confiscation of the property in Mexico, had not the earnest appeal of the citizens of Manila, procured the concessions, embodied in the royal order of 1734. This rescript extended the annual privilege to \$500,000, withdrew the prohibition against silks, and provided, that if the returns exceeded \$1,000,000, that sum might be extracted in silver,* and the excess in fruits of New Spain. These new advantages were further secured to the Philippine colonists, by the entire exclusion of strangers, Mexicans and others, from any share.

The same year, we find the colonists contributing \$10,000 toward an expedition to Mindanao. This armament failing to repress the incursions of the Moors, de Valdes convoked his council, and proposed a plan for the defense of the islands, in which the natives should concur. Some years before, letters of marque had been offered to such of them as would fit out vessels to cruize against pirates, and now, it was proposed that the scattered inhabitants of the seaside should be collected into pueblos, and these fortified. It was argued, in favor of this plan, that the states of the petty piratical chiefs were so defended by impassable rivers, and marshes, and jungles, as to be beyond the Spanish power. It was impossible to prevent their prowls from issuing by a thousand creeks, combining and committing depredations, so that the only expedients for safety were, to arm the vessels trading in those seas, and to maintain a military guard on shore.

These suggestions were in a great measure adopted, and circular orders dispatched to the alcaldes of the southern provinces, to aggregate the smaller hamlets to the larger pueblos, to construct fortifications, and to prepare a provincial fleet of 15 or 20 boats, to which

* The importation of silver into Manila from Spanish America, during 250 years of intercourse, 1571 to 1821, is computed by de Comyn at \$400,000,000. A large share of this, perhaps a half, perhaps a fourth, passed over to China.

the central government would send a reinforcement of two ships per year. It appears, however, from the sequel that these orders were very partially executed, if indeed they were regarded at all.

The weakness of the colony at this time is farther illustrated, by the consequences which followed the condemnation of a Dutch vessel, seized by a Spanish galley, on the ground that it was furnishing aid to a hostile chief on Mindanao. The Batavian authorities took up the case, and sent a remonstrance to Manila with a demand for restitution in June, 1735, backed by three men-of-war. The former — the remonstrance — says our authority, very ingenuously, could have been very easily answered, but it was not so easy to deal with the three men-of-war! The governor referred the matter to his council, a minority of which was of opinion, that the vessel having been legally condemned, and an account rendered to his majesty, a restoration was impossible without reference to him. This opinion was overruled by the consideration, that the Dutch were peremptory, and it was impossible either to reason, or to trifle with three men-of-war! The governor was therefore authorized to restore the prize, and to fine the captors in the value of whatever articles might not be forthcoming of the property originally on board. This deficit being fixed at \$6500, the poverty both of the captors and the treasury was shown, in the necessity to borrow the sum. De Valdes, on making the restitution, wrote to the Batavian authorities, that his compliance with their demand was the expression of an extreme desire on his own part and on that of his sovereign, to keep the peace.

We here reach the 11th volume of our authority, the opening chapters of which are filled with details of those persecutions, so fatal to Catholicism in China, which followed the death of Kanghe, and the accession of Yungching. These severities are connected by the historian with the 'luminous crosses,' and other sights that superstition then saw, and also with those terrible visitations by earthquake and inundation which afflicted the northern provinces of China at that time, and by which more than half a million of men are said to have been destroyed. We leave these digressions from the Philippine annals, and proceed to glean such facts concerning the progress of the colony, as our minute and excursive chronicler has seen fit to record.

The archiepiscopal chair had been some years unoccupied, when the arrival of the galleon of 1736, brought an incumbent, in the pere I. A. Rodriguez. He had received his translation from a Peruvian see, two years before, and now, on reaching his last place of earthly labor and honor, 'began his government like an angel.'

Three years latter, De Valdes received a call to a high military command in America, and left the colonial authority, after ten years administration to don Gaspar de la Torre. The new governor entered on his charge with a fair character, and we are pained to find among his early acts, a public prosecution, oppressive in itself, and fatal in its consequences to two of the highest officers of the colony. The fiscal, who was the object of this legal process, was a friend of the archbishop, and had been counseled by his venerable adviser to trust his cause and his person to the justice of the governor. When the prelate found that his counsel had contributed to throw his friend into a rigorous confinement, the symptoms of his previous disease became aggravated, and he died shortly after. The prosecution did not stay for one indirect victim. It went on, until the imprisoned fiscal died also. Long afterwards, when the sufferer was forever beyond the reach of human redress, his cause was taken up, and his sentence righted by the 'Council of the Indies.'

The death of the archbishop leaving the colony without a mitre, the bishop elect of Nueva Caceres, petitioned, on receiving his appointment in January, 1743, to be permitted to go over to Macao, in order to obtain consecration. The governor, in his reply, withholding the passport asked for on the ground that admiral Anson was at Macao, gives us the first intimation of a visit which was soon to rank among the great disasters of the colony.

It will be remembered that Anson had arrived at Macao in Nov. 1742, after a series of sufferings and losses, scarcely exceeded in the history of any other nautical expedition. Having extorted from the local officers, permission to refit his only remaining ship, he left Macao, April 19th, 1743, in pursuit of the Acapulco galleon. His reduced crew amounted to but 201 men and boys, among which were only 45 able seamen. Early in May, the Manila authorities received information of his movements, and hastened to fit out the *Pilar*, an old galleon then lying at Cavité, to escort the expected Cobadonga. The delays which took place in dispatching this vessel, and the slowness of her movements after sailing, (June 3d,) gave Anson his long desired opportunity. Before the *Pilar* had cleared the straits of St. Bernardino, the *Centurion* had met and captured the rich, but unfortunate, Cobadonga. This galleon, mounting 42 guns, and carrying 550 men, had sailed from Acapulco, April 16th, and touching at Guam, in June, had there learned that Anson had been at Timian with a sick and reduced crew, the previous September. With these advices, all apprehension was laid aside, the battery was neglected,

until, on the 20th June, the two ships met off the Straits of St. Bernardino. Retreat was impossible, and after an action of two hours, in which the Centurion lost 31 men and the galleon 141 (killed and wounded), Anson took possession of his prize, worth \$1,500,000. To guard and navigate these two ships was a work of difficulty, yet in 22 days, they were safely carried into the Chinese waters. The sufferings of the captured crew, 492 in number, crowded together in the ship's holds, in the depth of a tropical summer, were extreme, so that, it is added, on being landed at Macao, they 'were all mere skeletons.' Most of them found their way back to Manila in December. The report of the capture had preceded them, gathering on its way the further statement that Anson had written home for a squadron, to join him in sacking Manila.

The authorities resolved to dispatch a fleet of four ships without delay, to overtake Anson at Macao, and recover the lost treasure. The city contributed liberally to this expedition, but when it reached China in March, 1744, Anson who had sailed in December, was already far on his way to England. The first object of the enterprise lost, the Spanish commander determined to remain in order to make reprisals on British commerce. This design did not please the Chinese, who endeavored to save their waters from being made the theatre of what they deemed piracy, by refusing supplies, as they had done to Anson. In the end, however, they yielded, and the Philippine commodore, getting his provisions, but meeting no prizes, returned to Manila. His ill success laid him open to an inquiry, which however, terminated in his acquittal. A long inquest into the loss of the Cobadonga followed, but the court acquitted her commander also, and the council of the Indies some years after, also approved the verdict.

The loss of the Cobadonga fell heavily on the government, the private merchants, and the benevolent institutions or '*obras pias.*' The dissatisfaction of the first expended itself in the expedition sent to catch Anson in China. The second party had still some spirit left, and a letter of marque was fitted out, to cruise against British commerce. One running fight with an English ship, in the Straits of Malacca, sent the cruiser back roughly handled to Manila. Some time after, a second letter of marque captured a small British brig on the Chinese coast, and the owner of her cargo, a Portuguese, sought in vain to recover his property in the courts of Manila, nor is it said that he succeeded any better, in his appeal to the council of the Indies.

The third party — the obras pias — endeavored to lighten their heavy share of the loss, by laying claim to certain goods of the galleon's outward cargo, which had been left unsold in Mexico. The colonial courts admitted their claim, but the defendants appealed to his majesty, and the final decision of the council of the Indies reversed the inferior decree, and confined the liability of the borrowers from the obras pias, to the goods actually on board the galleon.

The years 1743 and 1744 passed away, and the colonists were still unable to resume the trade with Acapulco. This long failure of arrivals alarmed the Mexican authorities, and early in 1745, they dispatched a small vessel to an outport of the colony. Before it arrived, in July, governor Torre was already ill with disease and melancholy. He had been called on to quell some local insurrections, and further suspicions, it is said, had been maliciously infused into his mind, of a projected rising of the Chinese population. Overborne by real and imaginary afflictions, he died in September, and the vacant state of the higher offices at the moment, threw the government into the hands of the bishop of Nueva Segovia, F. I. de Archedera. The prelate entered with zeal on his new duties, inspecting the city, repairing its defenses, and introducing some much-needed reforms into the municipal regulations.

It fell to his lot to execute a singular order which had come from Spain, via Mexico, accompanied with a remittance of \$5398, to defray the costs; viz. for the transportation of the inhabitants of the Babuyan islands to the opposite coast of Luzon. This order was probably a repetition of the policy which had so nearly completed the depopulation of the Mariana islands. The governor appropriated the sum as directed, but so strong and general was the preference of the natives for their seagirt homes, that only a few families could be induced to leave them.

At this time, Archedera was also called to do the honors of a welcome to a Danish ship from Tranquebar, bearing orders from his majesty for the admission of the vessels of that power, to the port of Manila. Full effect was given to the royal rescript, but before any valuable intercourse ensued, the courts of Madrid and Copenhagen had quarreled, about supplies furnished by the Danes to the king of Morocco, &c., and new orders came out, to exclude that flag from all the colonies.

A great deficiency still existing in the colonial armory, the governor remitted \$39,000 to Batavia for the purchase of arms and ammunition. The colonial chest was too poor at the moment to afford

this sum, and it was accordingly borrowed, until the receipt of the next subsidy.

When the news of the loss of the Cobadonga reached Spain, his majesty felt it so deeply as to order that no galleon should be dispatched from Manila, while the war lasted. The distress of the citizens was only aggravated by this command. They had been gradually collecting goods for the Mexican markets, from time to time, as their means permitted, and a considerable portion of a cargo was ready, when the prohibition reached them. Arrechedera was happily a reasonable governor, and while he took the responsibility of allowing the shipment to proceed, he in fact doubled the license, by granting that the risk should be divided between two vessels. Information now reached Manila that a fleet of English and Dutch ships had just left Canton for the Mexican coast, but the delay caused by this account, was soon terminated by a further report that a typhoon had dispersed the squadron. Still, great difficulty was found in equipping two large ships, with heavy armaments, and carrying 850 men. To accomplish this, it was necessary that the city should contribute \$50,000, and the ecclesiastical and other bodies make liberal loans.

During the absence of these vessels, the colony remained under great depression, and even the appearance of a strange sail on any part of the coasts was sufficient to awaken the most excited apprehensions. A Dutch squadron especially, which had come up to Mindanao, on the invitation of some native ally, caused much alarm at Manila. The mitred governor exhausted his weak resources, in preparing for the common defense, but the Dutch retired on the death of their friend, and no harm befel the Philippines.

The cellars, as well as the treasuries of the colonists, were at this time quite empty, so that there was no wine for the celebration of the sacrament. To supply this pressing want, the clergy dispatched a small vessel to Macao, which, in due time, brought back 216 arrobas of wine, 'pure and genuine, as appeared from sundry accompanying certificates.'

The return of the two Acapulco ships the following year, brought great relief to the merchants and the government. Yet the colony was still distressed, there were six subsidies in arrear, and when the galleon of the next season put back into harbor, the government was again obliged to ask a loan for the public exigencies.

In August, 1747, Arrechedera was outranked by the arrival of a new archbishop, the Fr. P. M. de Arizala. This prelate, however, declined with much moderation, to assume the administration, until

reference had been made to court, and he was formally directed to preside over the colony, until the arrival of a civil governor. In one respect, Arizala followed in the steps of his clerical predecessor. He paid much attention to the military department, being present at the exercises of the soldiers, and rewarding their marksmanship, &c. Once, we are told, his spirits rose to an extraordinary height, on the occasion of the successful issue of an attempt to cast a number of heavy cannon. These, however, were not the archbishop's only weapons. When the sultan of Súlú, a fugitive from his own territories came to Manila in 1749, the prelate received him kindly, and set his heart upon his conversion. Especially, says our authority, 'in riding and conversing together, and still more at his excellency's dinner-parties,' was the faith of the Mohammedan vigorously assaulted. To these means of grace, were added, 'gifts of rich dresses, with ornamented muskets, pistols, &c.' When plied by the governor of the Philippines upon a poor exile, who had no other hope of recovering his dominions, how could these means be unsuccessful. In December of that year, Alimudin desired baptism. Much discussion followed among the clergy, as to his sincerity, but the archbishop was satisfied with his convert, the future instrument of the conversion of all Súlú, and he was baptized in April following. This spiritual conquest was celebrated, within the city, by entertainment and public congratulations. The suburbs expressed their joy in four days illuminations, three days masquerade, three bull-fights, and three comedies. The whole was closed with a grand mass and sermon. Whether the conversion of Alimudin were real or not, his sufferings certainly were so. Not to break unnecessarily the detail of these, we close here the account of Arizala's administration, with his release from civil cares, in July, 1750, on the arrival of the marques de Ovando, one of the most unfortunate as well as most noble of Philippine governors. Our 'Historia' becomes from this time scarcely more than a long detail of Súlúan wars, to the close of which, we hasten, in our next sketch, to conduct the reader.

ART. II. *Affray at Hongkong; death of a Chinese, Lin Weihe; court of justice with criminal and admiralty jurisdiction instituted; its proceedings; captain Elliot's address to the grand jury; his address to the prisoners, with sentence of the court passed on the same.*

SUNDAY, July 7th, 1839, a most serious affray occurred at Hongkong, near the anchorage in a village called *Tseënshatsuy*, where a large party of foreign seamen had collected together on shore. A Chinese, named Lin Weihe, expired the next day, Monday; a report of the case reached Macao the same evening, the 8th; and captain Elliot proceeded to Hongkong early on Tuesday the succeeding morning. About the same time a report reached the Chinese authorities in Canton, from whom a deputation was sent to hold a court of inquest. The importance of this case—bringing up as it has that clause in the Chinese penal code which requires life for life—will be seen in the sequel. All the particulars that have come to our knowledge, well authenticated, shall be put on record; these, however, are few. Though at Hongkong when the affray occurred, and during the next day when the man expired, we could only ascertain these few facts—that a large party of sailors were on shore, drunken and riotous; that a serious row took place between them and the villagers; that several Chinese were beaten, and one of them so severely that he died of his wounds the following day, Monday, July 8th. These few transactions, however, seem to be the prelude of a new scene in the grand drama now being enacted, on these southern confines of the celestial empire. After two or three days, captain Elliot returned to Macao; and has, no doubt, transmitted to his government a full account of all he did, and of all he learned, touching the case in question. Very few of these particulars have been made public here. None of the testimony of the witnesses in court, nor even the names of the persons accused and condemned, have been published in the newspapers, which have given notices of the trial. The reason for this secrecy is well understood by those who are acquainted with Chinese policy. That we may not be misunderstood, we here remark, explicitly, that we have no reason to doubt that the chief superintendent has taken every means in his power to secure the execution of strict and impartial justice throughout the whole of these proceedings. If we have rightly understood him, he has plain and unequi-

vocal instructions from his sovereign not to surrender or submit any subject of her crown to the jurisdiction of the Chinese courts of law. These instructions are founded, no doubt, on the notorious fact that no foreign authorities or witnesses are recognized in these courts, which still maintain that spirit of exclusiveness, now abandoned even by the Sublime Porte and the Barbary States. This spirit, probably, is now about to have its last struggle here.

We have seen a partial and garbled report made by the deputation sent from the provincial city to Hongkong. The chief particulars detailed therein, have reference to the wounds found on the body of Lin Weihe, and to the money paid and to be paid to the family of the deceased. Whatever was paid, or was to be paid, we have been assured was offered solely in consideration of the needy and afflicted state of the deceased's family, and not with the intention of 'hushing the matter,' or of staying the course of justice. Notwithstanding the assurances given that the parties engaged in the affray should be tried and dealt with according to English law, the Chinese authorities have peremptorily demanded, and continue so to demand, the surrender to them of the murderers. In the meantime captain Elliot has pursued an independent course, the successive steps of which form the following part of this article. On account of the novelty of the case, and the bearings which it may have in future, we introduce here, from the Register and the Press, all the documents that have appeared in those papers, on this melancholy subject.

OFFICIAL PUBLIC NOTICE TO BRITISH SUBJECTS.

Macao, July 26th, 1839.

In obedience to an order of his late most excellent majesty in council, dated on the ninth day of December, one thousand eight hundred and thirty-three, made in pursuance of the provisions of an act of parliament of the 3d and 4th year of his late majesty's reign, entitled, 'an act to regulate the trade of China and India.'

The following rules of practice and proceeding are hereby promulgated, to be observed in the courts of justice with criminal and admiralty jurisdiction, created in the aforesaid order in council, for the trial of offenses committed by her majesty's subjects within the dominions of the emperor of China and the ports and havens thereof, and in the high seas within one hundred miles of the coast of China.

SECTION I. CONCERNING ARREST.

Rule 1. No subject of her majesty to be arrested for trial under this jurisdiction, unless charged upon oath of one or more credible persons before the

chief superintendent, or in his absence the deputy superintendent, with such an offense as will justify holding him to bail when taken.

Rule 2. Arrest may be made in three ways. First, by warrant under the hand and seal of the chief superintendent, or in his absence by the deputy superintendent. (See Appendix. No. 1.) Second, by word of the chief superintendent, or in his absence the deputy superintendent (or at the stations of the British shipping), by any magistrate or quarter-master of the police, in the emergency only of any subject of her majesty committing a sudden and dangerous breach of the peace, or felony in their respective presence. Third, in the absence of other competent authority, by any subjects of her majesty, who shall by such means be able to prevent the commission of a felonious offense by any other subject of her majesty.

Rule 3. Officers or others charged with the execution of warrants of arrest to exercise the like authority, to be entitled to the like immunities, and to be liable to the like penalties for unlawful proceedings, as officers or others executing the warrants of the courts of oyer and terminer in England.

SECTION II. OF COMMITMENT.

Rule 1. When a person charged with a crime be arrested, he is to be brought before the persons named in the warrant for examination.

Rule 2. Persons conducting examinations not to take any subsequent part in any capacity, in the trial of the prisoner, examined before them.

Rule 3. Examination of prisoner, and the information of person brought with him, or having any knowledge of the alleged crime, to be taken in writing. Witness only to be sworn.

Rule 4. If it shall plainly appear that no such crime has been committed by the prisoner, he is to be discharged; otherwise to be detained for safe custody (see Appendix No. 2), till the examination can be submitted to the chief superintendent, or in his absence, the deputy superintendent, for further disposal.

Rule 5. Persons authorized to examine, to be sworn, and to have the like powers with respect to summoning of witnesses (being subjects of her majesty), as are hereinafter vested in the court, and British subjects refusing to attend the summons of examiners to be liable to the penalties hereinafter provided for failure of attendance. (See Appendix No. 3, for form of subpoena.)

SECTION III. OF BAIL.

Rule 1. The chief superintendent, or in his absence the deputy superintendent, to have the like power in respect to bail as belong of law and usage to the court of Queen's Bench in England; and to be liable for refusal or delay in the case ofailable offenses to the like penalties as magistrates in England.

Rule 2. If the prisoner be not bailed, to be committed by warrant under the hand and seal of the chief superintendent, or in his absence the deputy superintendent, to take his trial for the offense charged against him.

Rule 3. The principles and practice of the law of England to obtain

with respect to time in which a prisoner should be placed on his trial, or within which prosecution for past offenses, committed in his jurisdiction, should be instituted.

SECTION IV. OF THE MANNER OF PROSECUTION.

Rule 1. In all cases falling under the jurisdiction of this court to be by way, only, of indictment preferred to, and presented on oath by, a grand jury.

Rule 2. Recording officer of the court to return every session, 24 good and lawful subjects of her majesty, habitually resident in China, to inquire, present, do, and execute all those things which on the part of our lady the queen shall then and there be commanded them.

Rule 3. Grand jury to be sworn to the amount of twelve at the least, and not more than 23, so that twelve may be a majority.

Rule 4. In the finding of the indictment, twelve of the jury at least must concur, and the grand inquest to be conducted generally, according to the principles and practice of the English law.

Rule 5. Persons above 70 years of age, or persons laboring under sickness, surgeons, officers of the queen in actual public employment, may be exempted from serving on grand or petit juries, on claiming privilege.

SECTION V. OF PROCESS.

Rule 1. Sessions to be declared from time to time by public notice under the hand and seal of the chief superintendent, and all persons her majesty's subjects upon any account concerned therein to be attending at the time and place so fixed by public notice.

Rule 2. Court to have the like power, and pursue the like course, as the courts of oyer and terminer (as far as the difference of circumstances will permit), for compelling defendants to appear not in actual custody upon certificate of indictment found.

Rule 3. Arraignment to be in the manner, and subject to the rules, of the courts of oyer and terminer in England.

Rule 4. If the prisoner "stands mute," or "confesses the fact," court to proceed agreeably to the practice of the courts of oyer and terminer in England.

SECTION VI. OF THE PLEAS AND GENERAL ISSUE.

Rule 1. Pleas to be allowed to prisoner according to the practice of the courts of oyer and terminer in England.

Rule 2. Herein the prisoner shall be entitled to request any person being a subject of her majesty (and having due sanction of the court), to support on his behalf, any point of law which may arise proper to be debated.

Rule 3. Court to proceed herein agreeably to the principles of the courts of oyer and terminer in England, but with special regard to the general scope and intention of the particular laws under which, and the objects for which, this court is created.

SECTION VII. OF TRIAL.

Rule 1. Recording officer of the court to return at every sessions a pan-

nel of 24 good and lawful subjects of her majesty, either habitually or occasionally resident in this jurisdiction, to the end that twelve thereof may try and make deliverance between our sovereign lady the queen, and any prisoner placed at the bar of the court for offenses committed within this jurisdiction, according to the principles and practice of the courts of oyer and terminer in England.

Rule 2. Regard being had to local circumstances, the prisoner shall have no privilege of peremptory challenge, but only for cause, to be determined according to the practice of the courts of oyer and terminer in England.

Rule 3. Trial to be had, and evidence to be taken, both in the prosecution and defense in the manner and subject, as far as circumstances may permit, to the principles and practice of the courts of oyer and terminer in England.

Rule 4. If it should be impossible for the trial to conclude in one day, the court (regard being had to local circumstances) shall have the power to adjourn from day to day without confinement of jury, swearing them "neither to speak themselves to any other person than one of their own number, nor to suffer any other person to speak to them touching any matter relative to this trial."

Rule 5. In respect of illness or death of jurors, court to proceed agreeably to the practice of the courts of oyer and terminer in England.

Rule 6. Verdict to be found agreeably to the practice of the courts of oyer and terminer in England, i. e. by unanimous decision of jury, and upon both the law and the fact.

Rule 7. Court to have the power of sending the jury to reconsider their verdict.

Rule 8. When the prisoner is convicted, sentence is to be pronounced by the chief superintendent in the manner declared in the order in council, and when the prisoner is acquitted upon the merits, he is for ever free and discharged upon that accusation.

Rule 9. When the acquittal arises from a defect in the proceedings and cannot be pleaded, the prisoner may be detained in safe custody by warrant of the court, to be indicted in such a manner as may fulfill the ends of justice.

SECTION VIII. OF THE MODE OF COMPELLING JURORS GRAND AND PETIT TO PERFORM THEIR DUTIES, AND WITNESSES TO ATTEND

Rule 1. A person being a subject, of her majesty (not herein before excused), who shall fail to perform his duties as a grand or petit juror, being duly summoned by the recording officer of the court, shall be liable to a penalty not exceeding \$20 for the first offense, or \$50 for the second, (at the discretion of the court,) to be for the use of her majesty.

Rule 2. Any subject of her majesty, whose evidence may be necessary to prove or disprove any indictment, may be bound over under sufficient surety by the chief superintendent, or in his absence the deputy superintendent, to appear and give evidence at the trial of the prisoner: and the chief superin-

tendent, or in his absence the deputy superintendent, shall determine the amount of reasonable penalty according to the circumstances of the case.

Rule 3. In the case of witnesses about to leave the country upon urgent business, they may be examined by the consent of the prisoner, as well as the chief superintendent, upon interrogatories before the chief superintendent, or in his absence the deputy superintendent.

Rule 4. Citizens or subjects of foreign states, whose evidence may be desirable to prove or disprove an indictment, shall be invited for the satisfaction of the ends of justice to appear before the court; but failing attendance, the jury to deliver their verdict upon the best evidence before them.

SECTION IX. REPRIEVE AND JUDGMENT.

Rule 1. In these respects, the court to be guided by the principles and practice of the law of England, and to have the like powers, which belong of right to the judges in the courts of oyer and terminer in England.

CONCLUSION.

And notice is hereby further given, that these rules of practice and proceeding shall take effect from the date hereof, and are binding till the same be disallowed by command of her majesty.

APPENDIX.

No. 1.

FORM OF WARRANT.

These are in her majesty's name to require you (*name of officer*), to take into your custody, and bring before (*names of examiners*); *A. B.* charged with (*brief description of offense, time and place, when and where committed*), and for so doing, this shall be your lawful warrant.

L. S. (Signed)

Chief superintendent, or in his absence the deputy superintendent.

No. 2.

These are in her majesty's name to require you (*name of person to whose custody committed*) to detain in safe custody, *C. D.*, herewith sent to you by me, charged upon oath with (*brief statement of offense and particulars thereof*), and for the said safe custody, till he be delivered in due course of law, this shall be your lawful warrant.

L. S. (Signed)

Chief superintendent, or in his absence the deputy superintendent.

No. 3.

Indictments will be prepared by recording officer, but the following form is inserted: *ex. gr.*

CHINA ADMIRALTY AND CRIMINAL JURISDICTION, to wit;

The jurors for our lady the queen upon their oath present, that (*A. B. particular designation*), not having the fear of God before his eyes, but being moved and seduced by the instigation of the devil, on the _____ day of _____ in the year of our Lord, _____ did at _____ in and upon *E. F.*, feloniously, willfully, and of malice aforethought, make an assault upon, and (*here state*

the means and manner of killing, and the consequent death according to the facts). And so the said jurors, upon their oath aforesaid do say, that he the said A. B., him the said E. F., in the manner and by the means aforesaid, feloniously, willfully, and of his malice aforethought, did kill and murder, against the peace of our lady the queen, her crown and dignity.

I n d o r s e m e n t.

If found. "A true bill."

If otherwise. "Not found."

No. 4.

Oath to foreman of grand jury. Mr. G. H., you as foreman of the grand inquest for this jurisdiction, shall diligently inquire and true presentment make of all such matters and things as shall be given you in charge: the queen's counsel, your fellows', and your own, you shall keep secret: You shall present no one from envy, hatred, or malice; neither shall you leave any one unrepresented for fear, favor, or affection, gain, reward, or hope thereof; But you shall present all things truly as they come to your knowledge according to the best of your understanding. So help you God.

Oath to the rest of the grand jury. The same oath your foreman has taken on his part, you and every of you shall truly observe and keep on your part. So help you God.

Oath to witnesses before the grand inquest. The evidence you shall give to the grand inquest upon this bill of indictment shall be the truth, the whole truth, and nothing but the truth. So help you God.

No. 5.

Record to be kept by the recording officer in the usual form.

No. 6.

Oath to petit juror (on the challenge of him) before asking questions. You shall true answer make to all such questions as shall be asked you by the court. So help you God.

To triers of challenged jurymen. You shall well and truly try whether I. J. (the juryman challenged) stand indifferent between the parties to this issue. So help you God.

Oath to petit jurors upon trial. You shall well and truly try, and true deliverance make, between our sovereign lady the queen, and the prisoner at the bar, whom you shall have in charge and true verdict give according to your evidence. So help you God.

Oath to interpreters. You shall true interpretation make of the evidence, between the court, the jury, and the prisoner at the bar, according to the best of your skill and understanding. So help you God.

No. 7.

In the queen's name take notice, that you are hereby summoned to serve (as grand juror or petit juror as the case may be), at the sessions of the court of criminal and admiralty, jurisdiction to be held at _____ on the day of _____

To I. K., L. M., &c., &c.

(Signed)

Recording officer.

To be left at dwelling-house, or usual place of business, by sworn officers of the court, (*and time of leaving to be endorsed on the back of the summons*), at least three days before sessions.

Subpoena to witnesses. In the queen's name take notice, that you are hereby required to lay aside all pretenses and excuses whatever, and to appear before the criminal and admiralty jurisdiction in your proper person, at the sessions to be held at _____ on the day of _____ in the year _____ to testify the truth and give evidence upon the trial of _____ for _____ and this you are not to omit under the penalty of (*not exceeding \$400 at the discretion of the court.*)

(Signed)

Recording officer.

N. B. Same remark as above, concerning the services of summons to grand and petit jury.

L. S. (Signed) CHARLES ELLIOT,
Chief Superintendent, &c.

COURT OF CRIMINAL AND ADMIRALTY JURISDICTION.

The first sessions of this court were held at Hongkong on the 12th of August. The following gentlemen were returned as grand jurors.

John Harvey Astell, esq. *Chairman*

William Bell, esq.

David L. Burn, esq.

Thomas Fox, esq.

Crawford Kerr, esq.

James Matheson, esq.

John Rickett esq.

Dinshaw Furdoonjee, esq.

Heerjeebhoy Rustomjee, esq.

George T. Braine, esq.

Wilkinson Dent, esq.

Thomas Gemmell, esq.

William P. Livingstone, esq.

Peter Scott, esq.

Dadabhoj Rustomjee, esq.

Framjee Janisetjee, esq.

Bomanjee Maneckjee, esq.

The petit jury consisted of the following persons.

John Hudson, esq. *Foreman*

William Symes, esq.

George Dicey, esq.

Oliver Cunningham, esq.

John Hawkins, esq.

William Jellard, esq.

William Clark, esq.

John Burns, esq.

David Gardyne, esq.

William Mallory, esq.

Thomas Stewart, esq.

Charles Liebschwager, esq.

J. B. Compton, esq. Recording officer.

Captain Elliot, on opening the court made the following address to the grand jury.

Gentlemen of the Grand Jury—Situating as we are, you will believe that I have diligently applied myself to the best sources of refer-

ence within my reach for such directions as may serve to guide you in the important task you are here to perform. Let me crave your attention, then, to a few general remarks upon the nature of your duties, upon the manner of conducting the inquest, and lastly, to some observations bearing upon the principal case to be laid before you. The authorities I have consulted shall be noticed for your satisfaction as I proceed. It is a principle of the law of England, that no man can be convicted at the suit of the crown of any capital offense, unless by the unanimous voice of at least 24 of his neighbors and equals; i. e. by 12 at least of the grand jury assenting to the accusation, and afterwards by the whole petit jury finding him guilty on his trial. But if 12 of the grand jury assent, it is a good presentment, though some of the rest disagree. According to the common law of England too, it is absolutely necessary that all the grand inquest should be inhabitants of the country for which they are sworn to inquire: and I may take this occasion to explain the reasons which led me to confine the performance of grand jury functions in this jurisdiction, to persons habitually resident in China. In our position, it appeared to me to be a very suitable adaptation of this principle to devolve these duties upon persons usually resident: because they would bring to the task a more familiar knowledge of the customs of the country, and of the particular pressure of circumstances, than it could be reasonable to expect in casual visitors, and would therefore be better able to judge of what should be sent to trial, for the ends of justice and of peace. Indeed it must be obvious to every reflecting person who hears me, that the heavy responsibility of acting upon the jurisdiction order in council, (till the whole machinery has been set in action by the queen's government, and a more proper person were here to fill this seat, than myself,) has been forced upon me.

With our intercourse interrupted, I may certainly say, chiefly, if not entirely, because it is impossible to consent to the pretensions of the Chinese government to judge her majesty's subjects by their forms of judicature, for offenses declared to be capital, how could we disregard an unprovoked outrage upon the peaceful inhabitants of this empire, attended with loss of life, charged by the Chinese officers upon British subjects.

"From the oldest times," says the profound and eloquent lord Stowell, speaking of the intercourse between the men of the western parts of the world and the nations of the east, "an immiscible character has been kept up; foreigners are not admitted into the general body and mass of the society of the nation. They continue strangers

and sojourners in the land, as all their fathers were. *Foris mare suam non intermiscuit undam.*" But these extreme differences of custom and law could never be suffered to cover impunity for crime; and hence the separate jurisdiction for foreigners, which it has been necessary to establish in all the nations of the east, with which they maintain any general intercourse. Here, indeed, this necessity has never been conceded by treaty, or special arrangement; but here more particularly, than in any part of the world, it is admitted in principle, and constantly adverted to in practice. The theory is, that whenever a foreigner charged with an offense be delivered up to the Chinese government, he has been tried by his own officers and people and found guilty; a feature specially noticed by sir George Staunton, and which at once explains the eagerness of the Chinese officers to gain possession of the foreigner with the consent of his own countrymen.

In no instance that I am aware of, except one, has the government of this country ever resorted to force for the apprehension of a foreigner charged with offenses against the laws of the empire, and in that case it is material to remark the individual was not executed; on another occasion, indeed, they deported an individual by forcible means from Canton, and from the empire, but so far as British subjects be concerned, at all events, there has been no instance of apprehension and execution, without reference to British authority. Perhaps it may not be misplaced to remark here, that the anxiety of this government to obtain our own written consent to be tried by their forms of judicature, (which constitutes the main difficulty of our present situation,) is explicable only upon a mixed principle of justice and policy: upon the one hand, that it is reasonable to have our own consent to trial by laws so contrary in spirit and form to our own; upon the other, that our governments would find it impossible to interfere, if such laws were executed after the procurement of our own written consent.

On the whole, I have thought that it became me in this serious conjuncture, both upon general and special grounds, to provide as far as lay in my power, for the satisfaction of the ends of justice and of the reasonable demands of this government. I can deliver no man into their hands, which they have required me to do; but I have invited their officers to be present at as impartial a trial (according to our own forms of law), for the grave offenses charged against British subjects, as if those offenses had been committed upon our own countrymen, upon our own shores.

Requesting your excuse for this digression, I resume the subject in hand. The particular mission of the grand jury is to hear evidence in support of an indictment, and in support only, for the grand inquest is strictly in the nature of an inquiry or accusation, afterwards to be determined. Whilst, however, they are only to inquire whether there be sufficient cause to call upon the party to answer it, they should also be persuaded of the truth of an indictment, so far as the evidence goes; and not be satisfied with remote probability, a doctrine that might be applied to very oppressive purposes.

I will now submit a few plain rules, concerning the kind of evidence which a grand jury may receive or should reject. 1. They are bound to take the best legal proof of which the case admit. 2. The testimony must be parole, except in the cases provided for in the rules and regulations of practice and proceeding. 3. They should find no indictment upon the testimony of incompetent witnesses, as of persons convicted of a conspiracy, or any infamous crime: and if a bill be presented with no more credible witnesses endorsed upon it, the court upon application, will direct the grand jury to reject it. 4. One credible witness to one overt act will suffice. 5. The grand jury cannot find one part of one charge to be true, and another part false, but they must either maintain or reject the whole.

It may now be desirable to say a few words upon what I believe is the current doctrine of all the best authorities concerning the finding of bills in cases of homicide, *where there is doubt as to the degree*. In all such circumstances, it is advised to find for the higher offense, because that course is to the ease and advantage of the prisoner in the important respect, that it will bar subsequent prosecution for manslaughter. For had it appeared in evidence upon a trial for murder, that the offense was only of manslaughter, the petit jury might have found him guilty in that degree. The finding for manslaughter, on the contrary, exposes the prisoner to be harassed with a fresh accusation. For if the grand jury throw out the bill upon the capital charge, he may be again indicted, which it is material to remark, can never take place after an open acquittal. In some authorities, it is laid down as a rule, for the above reasons, that wherever the fact of homicide is clear, the grand jury should find the bill for the murder. And if upon the trial of an indictment for murder, the prisoner appears to the jury to be guilty of manslaughter, they may find him guilty of the latter offense.

If, however, the grand jury should determine upon finding at once for manslaughter, I should observe, that it is considered the safer

course to prefer a fresh indictment for that offense, than to make any erasure on the original bill. The difference consists only in the omission of the words 'of malice aforethought,' 'maliciously,' and the conclusion charging 'murder.' In all other respects, the matter may stand, and it is to be observed particularly, that the words 'feloniously,' and 'felony,' are essential, because the crime of manslaughter amounts to felony, but within the benefit of clergy.

It remains to touch upon the distinction between murder and manslaughter, and I may begin by laying down what I believe are the accepted and best legal definitions of either offense. It is murder according to lord Coke, 'When a man of sound memory, and of the age of discretion, killeth any reasonable creature in rerum natura and under the king's peace, by malice prepense or aforethought, either expressed by the party, or *implied by law*.' Manslaughter, according to Blackstone, Hale, and many other very learned authorities, is the unlawful killing of another, without malice either expressed or implied, which may be either voluntary upon a sudden heat, or involuntary, but in the commission of some unlawful act: and Blackstone has a rule, perhaps as easy of practical application as the real difficulty of seizing the distinction in particular cases will ever admit. 'In general,' says he, 'when an involuntary killing happens in consequence of an unlawful act, it will be murder or manslaughter according to the nature of the act which occasioned it: if it be in prosecution of a felonious intent, or if its consequences naturally tended to bloodshed, it will be murder; but if no more was intended than a mere civil trespass, it will only amount to manslaughter.'

Concerning the first condition of lord Coke's definition of murder, 'that the agent should be of sound memory and discretion,' it may be necessary to remind you of another principle of the law laid down by the same authority, 'that a drunkard, who is *voluntarius dæmon* hath no privilege thereof, but what hurt or ill soever he doeth, his drunkenness doth aggravate it; *nam omne crimen ebrietas et incendit et detegit*.' By the words, 'under the king's peace,' all persons except an alien enemy in the actual heat of war are taken to be included — and indeed to kill an alien enemy except in battle is murder. We now come to the circumstance in English law which chiefly distinguishes murder from every other description of homicide, namely, that there must be malice aforethought, either expressed by the party, or implied by the law. The legal sense of this language, however, does not confine it to a particular animosity to the deceased. It extends to an evil design in general, a wicked and unlawful motive, an

intention to do evil, the event of which is fatal. In a variety of cases the law implies malice; as for example, when an officer of justice is killed in the discharge of his duty, or a private person legally interfering to prevent crimes, or when death happens in the prosecution of some unlawful design, and when in heat of blood, such violence is used as the circumstances will not soften into simple felonious homicide.

The principal niceties in the distinction between murder and manslaughter will arise in cases of sudden quarrel. Every homicide it should be remembered, according to the principles of English law is *prima facie* murder, and shall be so considered till justified or excused; therefore, when the fact of killing be once established, it remains for the prisoner to make out that he is justified or excused, or that the fault is reduced to manslaughter by some adequate provocation: and killing is taken to be felonious and malicious till the contrary is shown in evidence. But I must again carefully remind you, that when the death ensues evidently from sudden heat of blood, or some grievous provocation, the offense is reduced by the tenderness of the law to manslaughter. For the easier apprehension of this distinction, it is material to inquire whether the force or weapon used by the prisoner was likely to produce death; because there can be no doubt that the use of firearms, swords, pikes, or other weapons of deadly strife, will carry worse construction than that of sticks, or less dangerous instruments casually snatched. Upon the whole, we may conclude in the language of an excellent practical treatise on the criminal law (Chitty's), that if the provocation be light, if the resentment be inadequate to its cause, if dangerous instruments be used under pretense of correction, where correction is lawful, or be the provocation what it might, if time for reflection intervened; if previous malice can be shown, if there be traces of deadly animosity from whatever cause, the offense of homicide is murder. But if the cause be but sudden passion, overstepping its bounds; correction well intended though too severe, a sudden fury though blind, the law reduces the crime to manslaughter.

The cases of riot and assault to be submitted to you present no difficulty. They are no more than offenses against the peace, accompanied, however, I am ashamed to admit by credible averment, by unprovoked and unmanly outrage.

Two indictments were presented to the grand jury. One against a seaman, for willful murder of a Chinese named Lin Weihe, on the

7th July in or near a village on the eastern shore of the anchorage of Hongkong.

The first indictment for willful murder was ignored by the grand jury.

The other against five seamen, for riotously, unlawfully, and injuriously entering certain dwelling-houses in a village on the eastern shore of the anchorage of Hongkong, in search of spirits, and for then and there riotously assaulting the inhabitants, men and women, cutting, beating, and otherwise dangerously ill using them. Also for having, on the 7th July last past, riotously damaged and injured a certain joss-house in the neighborhood of the above said village. A true bill was found against these five seamen, and after the evidence had been fully gone into, the jury returned a verdict of guilty.

On the day following, captain Elliot passed sentence on the prisoners, and addressed them in the following words :

“ You have been found guilty after a very patient trial of riotous conduct committed on shore in the immediate neighborhood of this anchorage on the 7th July last, neither do I find any evidence to disturb the painful fact laid in the indictment, that this riot was occasioned by the determination to procure spirits. And in the train of this indulgence of a brutal vice, what follows? Shameful riot attended with unmanly outrage upon men, women, and children : the loss of innocent life, and increased jeopardy to vast public and private interests, to an extent which no human wit can foresee.

“ The jury, however, making a distinction upon the evidence, in the soundness of which I perfectly concur, find that you ———, and you ———, and you ———, are guilty, not merely of the riotous conduct which led to all these disastrous consequences, but that you participated in the actual violence or assault laid in the indictment.

Seeking anxiously on your behalf for some circumstances which might extenuate these serious offenses, I must reluctantly confess that so far as you are all concerned, both as Englishmen and Christian men, I can find none. You have done those things which you ought not to have done, under the incitement of a vicious motive.

“ But looking to my own duties here I feel myself compelled in a spirit of strict justice, and not at all of leniency for the offenses you have committed, to pronounce a mitigated sentence upon you mainly, because of the inexcusable negligence of permitting so many persons of your station to go on shore, particularly at such a moment as the present, without regard to your personal steadiness, and with no

officer to control you, in spite of the dictates of common prudence, and contrary to my own recent injunctions. Be assured also that the evidence of general good character you have produced has had its full weight with me.

“Thus impressed then, the sentence of the court is that you —, and you —, be imprisoned in any of her majesty’s jails, or houses of correction in the United Kingdom, which her majesty may be pleased to command, there to remain and be kept to hard labor for the space of three months. And further that you each pass a fine to our sovereign lady the queen, of £15 lawful money of England, and that you be kept in safe custody until you shall have paid the said fine.

“And the sentence of the court is that you —, you —, and you —, be imprisoned in any of her majesty’s jails or houses of correction in the United Kingdom, which her majesty may be pleased to command, there to remain, and be kept to hard labor for the space of six calendar months. And further that you each pay a fine to our sovereign lady the queen, of £20 lawful money of England. And that you be kept in safe custody until you shall have paid the said fine.

“And you —, —, —, —, and you —, will severally understand that the period of your respective imprisonments now adjudged, will take place from the date of your respective committal within such of her majesty’s jails or houses of correction in the United Kingdom, as her majesty may be pleased to command, and that till a suitable opportunity presents itself to send you to England, that you will be detained in safe custody according to the customs and usages of the sea-service (and agreeably to the manner of your behavior), on board such ships as the chief superintendent of the trade of British subjects in China may think fit to appoint from time to time.”

ART. III. *Chun yuen tsae cha sze. Sansheih show. A ballad on picking tea in the gardens in springtime. In thirty stanzas.*

IT was our intention to have inserted the following ballad as part of the article in our last number on the tea plant, but the limits of the number forbade. The original was obtained from one of the traders from the green tea country, and is very prettily printed on a square piece of paper, with a flowered red border. We have introduced the original Chinese on the top of the page, for the gratification of those of our readers who can relish its beauties; for we think they will agree with us in judging of its merits. Each stanza in the original a single column, is composed of four lines; the first, second, and fourth of which rhyme with each other; and each line contains seven words. For example, the first stanza;

*Nung keä, keä choo, wan shan chung;
T'sun nan, tsun pih, tsun ming tsung;
Shay how, yu tseén, mang puh leaou;
Chaou chaou, tsaau he, ko chu kung.*

“In a verse of seven words,” says Davis in his Dissertation on the Poetry of the Chinese, “the cæsural pause being after the fourth, the first section of the line generally consists of two compound terms of two characters each. The fourth and fifth characters can never be coupled in this manner, because the pause cannot take place in the middle of a compound term; but it must be the first and second, the third and fourth, which are thus related. This being the case with regard to the first section of the verse, the last, which contains three characters is commonly a compound term, with the addition of a single word, which may either precede or come after it.” The cæsural pause is very distinctly marked in this composition, falling between the fourth and fifth words; and there is in most of the lines, a comma, or a pause much less than the cæsura between the second and third characters. These parts of the line are, however, in this instance, only seldom made up of compound terms. Many examples of parallelism between succeeding lines — a very prominent feature of Chinese poetry, and one which Davis illustrates by many quotations — will be observed, but we can only refer our readers to that author’s Dissertation for a full account of the characteristics of the poetry of this people. In this translation, no attempt has been made to reduce it to the rules of English poetry, but simply to give the meaning of the original.

	1			2			3					
春	儂	村	社	朝	曉	提	小	問	空	霧	不	教
園	家	北	後	朝	起	籃	姑	上	濛	葉	識	儂
采	家	村	雨	早	臨	出	大	松	曉	雲	爲	辛
茶	住	南	前	起	粧	戶	婦	蘿	色	芽	誰	苦
詞	萬	盡	忙	課	畧	霧	同	第	罩	未	來	日
三	山	茗	不	茶	整	方	携	幾	山	易	解	雙
十	中	叢	了	工	容	濃	手	峰	缸	降	渴	雙
首												

A BALLAD

On Picking Tea in the Gardens in springtime.

In Thirty Stanzas.

1.

Our household dwells amidst ten thousand hills,
 Where the tea, north and south of the village, abundantly grows;
 From *chinshay* to *kuhyu*, unceasingly hurried,
 Every morning I must early rise to do my task of tea.

2.

By earliest dawn, I, at my toilet, only half-dress my hair,
 And, seizing my basket, pass the door, while yet the mist is thick
 The little maids and graver dames hand in hand winding along,
 Ask me, "which steep of Sunglo do you climb to-day?"

3.

The sky is thick, and the dusky twilight hides the hill-tops;
 The dewy leaves and cloudy buds cannot yet be easily plucked
 We know not for whom, their thirst to quench,
 We're caused to toil and labor, and daily two by two to go.

4	5	6	7
雙 細 既 更	采 提 同 驚	一 葉 行 試	兩 誰
雙 語 恐 防	罷 籃 人 起	池 小 向 看	鬢 家
相 叮 梢 來	枝 貯 笑 雙	碧 如 磯 儂	髯 有
伴 嚀 頭 日	頭 滿 向 鳧	水 錢 頭 貌	鬆 婦
采 莫 芽 雨	葉 始 池 兩	浸 半 清 近	貌 醜
茶 要 欲 絲	自 言 前 處	芙 未 淺 何	帶 如
枝 遲 老 絲	稀 歸 過 飛	蕖 舒 處 如	枯 奴

4

In social couples, each to aid her fellow, we seize the tea twigs,
 And in low words urge one another, "Do n't delay,
 Lest on the topmost bough, the bud has even now grown old,
 And lest with the morrow, come the drizzling, silky rain."

5.

We've picked enough; the topmost twigs are sparse of leaves;
 We lift our baskets filled brimful, and talk of going home;
 Laughing, we pass along; when just against the pool,
 A pair of scared mallards rise and fly diverse away.

6.

This pool has limpid water, and there deep the lotus grows,
 Its little leaves are round as coins, and only half-expanded:
 Going to the jutting verge, over a clear and shallow spot,
 I try my present looks, mark how of late my face appears.

7.

My curls and hair are all awry, my face is quite begrim'd;
 In whose house lives the girl so ugly as your slave?

	8	9	10
只	雨	朝	小
緣	灑	來	笠
日	風	風	長
日	吹	雨	籃
將	失	又	手
茶	故	淒	自
采	吾	淒	提
今	忙	匆	忘
日	梳	匆	却
窓	鴉	便	泥
前	髻	向	濘
天	緊	園	未
色	橫	中	換
佳	釵	去	鞋
園	濕	遙	把
中	透	囑	儂
纔	弓	鄰	青
到	鞋	姑	笠
又	未	傳	寄
聞	肯	信	將
雷	回	去	來

'Tis only because that every day the tea I'm forced to pick ;
The soaking rains and driving winds have spoiled my former charms

8.

With the morning comes the wind and rain, together fierce and high,
But the little hat and basket tall, still must I take along ;
The tender leaflets being fully picked, we now to our homes return,
When each sees her fellow's dress, half-bedaubed with mire.

9.

This morn, without the door, behold a pleasant sky,
Quickly I comb'd my girlish tufts, and firmly set my pin ;
With rapid steps away I speed in the path toward the garden,
And forgetful of the muddy way, omit to change my shoes.

10.

But just within the garden bounds, I hear the thunder roll ;
My bow-shaped shoes are soak'd quite through, but I'm not ready to
return,
I call my distant comrade, to send my message home,
And have my green umbrella-hat sent hither to me soon

11	12	13	14
小衣手只	雨攀高染	芬品采今	番鴉
笠衫中少	過來低得	芳色罷朝	番髻
蒙半提長	枝香摘衣	香休新已	辛斜
頭濕着竿	頭氣盡襟	氣寧芽是	苦拖
不像青與	汎便黃處	似勝旋第	不玉
庇漁絲細	碧氤金處	蘭婺又三	辭指
身人籠綸	紋氤縷芬	蓀源發番	難寒

11.

The little hat, when on my head does not protect my limbs,
 My dress and gown are wet half-through, like some poor fisherman's;
 My green and fine meshed basket, I carry closely in my hand;
 And I only lack his long rod, and his thin slender line.

12.

The rain is pass'd, and the outmost leaflets show their greenish veins;
 Pull down a branch, and the fragrant scent 's diffused around.
 Both high and low, the yellow golden threads are now quite culled,
 And my clothes and frock are dyed with odors all around.

13.

The sweet and fragrant perfume 's like that from the Aglaia;
 In goodness and appearance, my tea 'll be the best in Wooyuen,
 When all are picked, the new buds, by the next term, will again
 burst forth,
 And this morning, the last third gathering is quite done.

14

Each picking is with toilsome labor, but yet I shun it not,
 My maiden curls are all askew, my pearly fingers all benumbed;

	15		16		17
惟賽	一 早 更 怎	容 焙 知 閒	活 那 無 遍		
願他	月 時 深 不	顏 出 是 教	火 知 端 體		
儂雀	何 出 尚 教	雖 金 何 纖	煎 摘 一 淋		
家舌	曾 采 在 人	瘦 芽 人 手	來 取 陣 淋		
茶與	一 暮 爐 損	志 分 調 侍	破 苦 狂 似		
色龍	日 方 前 玉	常 外 玉 兒	寂 多 風 水		
好團	閒 還 焙 顏	堅 妍 碗 煎	寥 嬌 雨 澆		

But I only wish our tea to be of a superfine kind,
 'To have it equal his 'sparrow's tongue,' and their 'dragon's pellet.'

15.

For a whole month, where can I catch a single leisure day?
 For at earliest dawn I go to pick, and not till dusk return;
 'Till the deep midnight, I'm still before the firing pan;
 Will not labor like this, my pearly complexion deface?

16.

But if my face is lank, my mind is firmly fixed,
 So to fire my golden buds that they shall excel all beside.
 But how know I who'll put them in the gemmy cup?
 Who at leisure, will with her tapir fingers give them to the maid to
 draw?

17.

At a bright fire she makes the tea, and her sorrows all flee,
 Where shall she learn our toil, who so tender picked it all?
 How that without a sign, the fierce winds and rain did rise,
 Drenching and soaking our persons, as if plunged into a bath.

18	19	20	21
雨雙緣愁	縱且只縷	工尙焙今	手松
橫雙何上	使安圖縷	夫覺出朝	挽蘿
風猶夫心	愁貧焙旗	那儂乾還	筠山
狂自壻來	腸苦得鎗	敢家茶要	籃下
鳥戀輕手	似莫新起	自事忙上	鬢采
離花言忘	桔辭茶白	蹉務去松	戴山
巢梢別梢	痺勞好毫	跔多采蘿	花茶

18.

In driving rains and howling winds, the birds forsake their nests;
 Yet many a couple seem to linger upon the flowery boughs.
 Why did my loving lord with lightsome words drive me away?
 As my grief swells in my heart, my hands forget to pick.

19.

But though my heaving bosom, like a well-sweep rise and fall,
 Still patient in my poverty and care, I'll never shun my usual toil;
 My only thought shall be to have our new tea well fired,
 That the flag and awl* be well rolled, and show their whiten'd down.

20.

But my own toil and weary steps, how shall I dare to mention them?
 Still I see that in our house is many a sort of work:
 As soon as the tea is fired and dried, I must quickly go and pick:
 This morning, even, must I reascend the steep Sunglo.

21.

My splint-basket slung on my arm, and my hair plaited with flow-
 ers;
 I go to the side of the Sunglo hills, and pick the mountain tea.

* The *ka* or 'flag' is the term by which the leaflets are called when they just begin to unroll; the *tseang* or 'awl' designates those leaves which are still wrapped up and somewhat sharp.

22 23 24

途笑妾一明到乍焙西道今携小睡
 中指家帶日門暖茶山是日籃姑倚
 姊前樓青若先還天日多西候更欄
 妹村屋陰蒙覺寒色落晴山伴覺杆
 勞是傍護來焙屢最東却山坐嬌喚
 相妾垂草約茶變難山少色村癡不
 問家楊堂伴香更平雨晴青亭慣醒

Amid the pathway going, we sisters one another rally,
 And laughing, I point to yonder village — "there's our house!"

22.

Your handmaid's house and home is at the weeping willow's side,
 In a place where the green shade, the grassy dwelling hides;
 To-morrow, if you're content, I beg you'll come and be my boon com-
 panions,
 Coming to the door, you'll know it by the fragrance of the firing tea.

23.

Awhile 'tis warm, and then 'tis cold, the weather's ever changing;
 'The sky is never so unsettled as when one wants to fire tea,
 For as the sun goes down the western hills, o'er the eastern hills there's
 rain,
 Promising much fair weather, yet in truth but little comes.

24.

But to-day, the tint of the western hills betokens fair;
 Taking my basket, I wait for my fellow at the village stile.*
 'There the little lass is seen, the simple girl most tenderly brought up;
 She's fast asleep, leaning on the rail; I call but none awakes.

* The *ting* is not exactly a stile, being a kind of shed, or four posts supporting a roof, which is often erected by the villagers for the convenience of wayfarers,

25	26	27
直半匆提	同樓欲樹	黃可攀說
待開匆着	行畔待高	鳥人枝到
高媚便籃	迤花折攀	枝天各傷
呼眼向兒	邏開來不	頭氣把心
始若前忘	過海分到	弄半衷淚
應難頭着	南石插梢	好晴情不
承勝走簷	樓榴戴頭	音陰訴禁

25.

When at length, to my loudest call, she begins to answer,
 She half opes her pretty eyes, she's like one staggering;*
 Quick she starts, and in the op'ning path before her, goes;
 Takes up her basket, and quite forgets to put its cover on.

26.

Together we trudge the sideway path, and pass the southern lodge,
 By its side, the sea pomegranate displays its yellow flowers;
 We'd like to stop and pluck them, for each to adorn her hair,
 But the tree is high, and the outer boughs quite beyond our reach.

27.

The yellow birds, perched on the boughs, warble their sweetest songs;
 The weather most grateful to man is when the sky's half cloud half
 clear,
 While pulling down the twigs, each vents her troubled thoughts,
 We talk till our hearts are wounded, and tears are not restrained.

who can stop there and rest. It sometimes contains a bench or seat, and is usually over or near a spring of water.

* *Jeo nan shing* alludes to a person who has attempted to carry a load too heavy for him, and staggers along under it; it here refers to the actions of the girl suddenly awoke, who staggers a moment, and then recovers her recollection.

28	29	30	
破北無纖	茶箇不招	任去却從	海陽亦馨主人李亦青
却枝端手	品中知破	他采把教	
工尋折擎	由滋却儂	飛新袖露	
夫罷得來	來味爲家	燕茶兒出	
未又同鬢	苦兩誰玉	自換高手	
滿圖心上	勝般甜指	呢舊捲纖	
簾南葉簪	甜兼苦尖	喃衫起纖	

28.

Our task is done, but our baskets are not half filled;
 On the north the twigs are searched, we think we'll see the south;
 Just then I snapp'd a twig, whose leaves were all in pairs,
 With my tapir fingers, I fastened it upon my curls.

29.

Among the kinds of teas, the bitter heretofore exceeds the sweet,
 But among them all, both these tastes can alike be found;
 We know not indeed for whom they may be sweet or bitter;
 We've picked till the ends of our pearly fingers are quite marred.

30.

You, twittering swallows, may fly just as your wills incline.
 Going to pluck new tea, I'll change to my old gown;
 I'll grasp the cuff, and rolling it high up,
 Will thus display my fine and slender arm.

Written by Le Yihhsing, (also called Yihhing) a native of Hae-
 yang.

ART. IV. *Chronology of the kings of Tongking. Translated from the Nouvelles Lettres Edifiantes, vol. 6th.**

TONGKING has always been a dependency of the emperors of China, sometimes as a tributary kingdom, and at other times as a province of the empire, under a governor or viceroy chosen by the emperor. The annals of Tongking, from which the chronology of its kings is derived, contain abundance of fables, even in the more recent periods. Still, so far as regards the succession of dynasties and kings, and the different revolutions which the kingdom has experienced, we have no reason to call in question the authenticity of these annals; especially since the tenth century of our era, from which epoch, Tongking, which, from being a mere province of China governed by viceroys, began to have its own sovereigns, whose succession has suffered only a few interruptions of short duration.

We shall divide the chronology of the Tongkingese kings into five principal epochs. The first extends from the origin of the monarchy to the year 110 or 112 of the Christian era. The early periods of this epoch are a tissue of fables, and the sequel presents nothing bearing the stamp of certainty. During the second epoch, from A. D. 110 or 112 to A. D. 968, Tongking was most of the time subject to China. The third epoch, from A. D. 968 to A. D. 1428, comprises four dynasties, the last of which ceased to reign in 1414, and the country fell once more under the immediate domination of China. The fourth epoch embraces the second Ly dynasty, which ascended the throne in 1428, was overturned in 1528 by the Mac family, again established in 1533, by the head of the Nguyen family, and entirely subverted in 1788. The fifth and last epoch begins with the year 1788, since which time the kingdom has been subject to the Cochinchinese. It was first invaded by the rebels of Cochinchina, called Tay-son; and since 1802, it has been subject to the legitimate sovereign of Cochinchina of the Nguyen family, and the two countries have formed one kingdom.

CHRONOLOGICAL TABLE OF THE KINGS OF TONGKING.

FIRST EPOCH.

Hongmang dynasty.

* While some parts of the original are considerably abridged, everything essential to a connected and clear view of the subject is retained. For the value and correctness of this account of the chronology of the kings of Tongking we have the authority of Remusat. Tr.

From B. C. 2874 to B. C. 252

King-duong vuong

Lac-long-quan (son of the preceding).

Hung vuong (descendant of the preceding).

Hau vuong.

The history of this dynasty is fabulous. It continued 2622 years.

Thuc dynasty.

From B. C. 252 to B. C. 202.

252. An-duong vuong, reigned 50 years.

Trieu dynasty.

202 Vu-de, appointed king of Namviet by the first emperor of the Han dynasty. He reigned 71 years.

131. Van vuong. reigned 12 years.

119. Minh vuong. " 12 "

107. Ai vuong. " 1 "

106. Thuat-duong. " 1 "

SECOND EPOCH.

From B. C. 110 to A. D. 968.*

During most of this epoch, Tongking was subject to China, and governed by viceroys. In the former part of the epoch, a few years before the birth of Christ, a woman named Trung or Trung nu-vuong, placed herself at the head of an army, and delivered her country from the Chinese yoke. Her reign lasted but three years. She was defeated, and put to death by a Chinese general, Ma-vien by name, who brought Tongking again under the power of China. In the year 542 of our era, a Chinese general, whose name was Tien-ly-nam-de, less faithful than Ma-vien, took advantage of the declining state of the empire at that time to declare himself king of Tongking, having first killed the viceroy, and put to flight such of the troops as were opposed to his usurpation. After a reign of seven years, he was supplanted by Trieu-viet vuong, who reigned twenty-seven years, and was in his turn dethroned by Hau-ly-nam-de. This third king held the throne thirty-two years. After him the nation was again subjected to the Chinese emperors.

At the commencement of the tenth century, the Chinese empire was torn by intestine wars. It was divided into several kingdoms, the sovereigns of which contended with each other for the title of

* We have here a discrepancy in our authority. On a preceding page, the year 110 or 112 of the Christian era is twice mentioned instead of 110 before Christ as here stated. The earlier date, viz. 110 B. C. seems to have been the one intended by our author. Tr

emperor, so that in the space of fifty-four years, five imperial dynasties succeeded each other, the heads of which claimed descent from some of the ancient dynasties. Tongking participated in the troubles of the empire. In 932, Duong-chinh-cong, a general, drove away the viceroy who then governed, and took possession of the government, which he continued to administer in the name of the emperor of China. At the end of seven years he was put to death by another general, Cong-tien, who enjoyed less than a year the fruits of his victory. The death of Duong-chinh-cong was avenged by his son-in-law, who declared himself independent, and was the founder and head of the Ngo dynasty, which we place in the second epoch, the one in which Tongking was most of the time a dependency of China, because the race of Ngo was a Chinese family.

Ngo dynasty.

A. D.

940. Tien-ngo vuong. - - - - - reigned 6 years.
 946. Duong-tam-kha, (tutor of the son of Tien-ngo, whose right he usurped). - - - - - reigned 6 years.
 952. Hau-ngo vuong, (son of Tienngo). - " 15 "
 967. Ngo-su-quan. This was the name given to twelve prefects or governors, who after the death of Hau-ngo divided between them the government of Tongking. Bo-linh, who from a shepherd had become a general of the army, expelled these twelve prefects and seized upon the throne in the ninth year of the reign of Hau-tong-thai-to, first emperor of the nineteenth dynasty of the emperors of China. This emperor recognized Bo-linh, and appointed him king of Giao-chi. Bo-linh took the name of Tien-hoang. He is the head of the dynasty Dinh, which is reckoned the first Tongkingese dynasty. His reign opens the third epoch, during which Tongking was governed by its own kings, with the exception of the last four years.

THIRD EPOCH.

Dinh dynasty.

A. D.

968. Tieu hoang. - - - - - reigned 12 years.
 880. Phe-de. - - - - - " 1 "

Ly dynasty.

981. Dai-hanh. - - - - - reigned 24 years.
 1006. An interregnum of a year, during which the son of Dai-hanh contended for the throne.
 1006. Trung-tong, (son of Dai-hanh who reigned but three days, and was put to death by his brother).
 1006. Ngoa-trieu (a name which signifies dynasty dethroned)

Ly dynasty.

Before giving a catalogue of the kings of this dynasty, and of the succeeding dynasties, it is necessary to observe that the kings of Tongking, in imitation of the emperors of China, adopt, when they ascend the throne, a name which is used in counting the years of their reign. Independently of these titles assumed by the emperor at the beginning of a reign, it has been the custom, since the year 36 before the Christian era, to give particular names to the years of their reign, borrowed from some remarkable event, or adopted from mere fancy. These names, which the emperor may change at pleasure, serve for dates in letters, in books of accounts, in almanacs, and in conversation, and are recorded with accuracy in history. The Japanese, who are imitators of the Chinese, introduced the practice into their empire, A. D. 650. It appears to have been at the commencement of the eleventh century, that it was introduced into Tongking by the first king of the Ly dynasty. This prince did not change the name during the whole of his reign of eighteen years. His successor who was upon the throne twenty-seven years, changed the name of the years of his reign five times; since which time most of the kings of Tongking have changed the name more or less frequently. The notion which leads them to make these changes of the name of the year is often prompted by superstition, as they regard such a change as a means of averting public calamities, and of securing a more tranquil and happy reign.

It is also the custom in Tongking, as it is in China, to decree to their sovereigns, after their death, an honorary name expressive of some virtue, or some brilliant quality, or some eminent prerogative. It is this name which is commonly used in history. Sovereigns who have been dethroned by a usurper, do not ordinarily receive an honorary name, unless some prince of the same family regains the throne. On the contrary, a name is given them, which refers to their misfortunes, or the titles of the years of their reign, are still employed.

In continuing the catalogue of the kings of Tongking, we shall designate them by the names given to them after death, without mentioning the titles of the years. Still there are some whom we cannot designate otherwise than by the titles of the years, because they received after death no honorary names. To distinguish such instances we shall place before their name an asterisk (*).

A. D.		Length of reign.
1010.	Tha-to. - - - - -	18 years.

A. D.		Length of reign.
1028.	Thai-tong. - - - -	27 years.
1055.	Thanh-tong. - - - -	17 "
1072.	Nhan-tong. - - - -	56 "
1128.	Than-tong (grandson of Thanh-tong). -	11 "
1139.	Anh-tong (appointed king of Annam).	
1176.	Cao-tong. - - - -	35 "
1211.	Hue-tong. - - - -	14 "
1225.	Chieu-hoang (daughter of Hue-tong). brought the crown into the family of Tran.	By marriage she

Tran Dynasty.

A. D.		Length of reign.
1226.	Thai-tong. - - - -	32 years.
1258.	Thanh-tong. - - - -	21 "
1279.	Nhan-tong. - - - -	14 "
1293.	Anh-tong. - - - -	21 "
1314.	Minh-tong. - - - -	15 "
1329.	Hien-tong. - - - -	12 "
1341.	Du-tong (brother of Hien-tong). - -	29 "
1370.	Nghe-tong (brother of the two preceding). After a reign of three years, he abdicated the throne in favor of one of his brothers.	
1373.	Due-tong. - - - -	4 "
1377.	Phe-de (the son of Due-tong). He was strangled by his uncle Nghe-tong. - - - -	12 "
1389.	Thuan-tong (son of Nghe-tong). He was forced to surrender the crown to his son, and was afterwards put to death.	
1398.	Thieu-de. - - - -	2 "
1400.	Ho-qui-ly (a usurper). - - - -	1 "
1401.	Han-xuong (son of Ho-qui-ly). - -	6 "
1407.	Gian-dinh-de (son of Nghe-tong). - -	2 "
1409.	Trung-quang-de (grandson of Nghe-tong). This last king of the Tran family was taken prisoner by the troops of the emperor of China. While they were carrying him off, he threw himself into a river. The kingdom of Tongking was now for fourteen years subject to China. Loi, a descendant of the kings of the Ly family, collected an army in 1418, and attacked the Chinese. After a war of ten years he expelled them, and reëstablished the dynasty of Ly.	

FOURTH EPOCH

Ly dynasty restored.

A. D.		Length of reign.
1428.	Thai-to. - - - - -	7 years.
1435.	Thai-tong (son of Thai-to). - - - - -	8 "
1443.	Nhan-tong (son of Thaitong). - - - - -	17 "
1460.	Thanh-tong (son of Thai-tong). This king rendered himself very distinguished. He promulgated a code of laws and divided the country into thirteen provinces. The southern ones, called Thuanhoa and Quangnam, were formerly a considerable portion of the kingdom of Chiem-thanh or Tsiampa, which he had conquered. - - - - -	38 "
1498.	Hien-tong (son of the preceding). - - - - -	6 "
1504.	Tuc-tong (son of the preceding) - - - - -	1 "
1505.	Uy-muc-de (brother of Tus-tong). - - - - -	4 "
1509.	Tuong-duc (grandson of Thanh-tong). This king was put to death. - - - - -	7 "
1516	Chien-tong (great-grandson of Thanh-tong). He was de-throned. - - - - -	7 "
1523.	Cung-hoang (brother of Chieu-tong). - - - - -	5 "

This is the period of a revolution in Tongking. Mac-dang-daong, who had left the station of a fisherman for the military profession, attained the dignity of general and defeated a rebel named Le-du. As a reward for these services, the king Chieu-tong, in the fifth year of his reign, conferred upon him the title of generalissimo of all the forces of the kingdom, naval as well as military. Two years after, Mac-dang-daong obliged Chieu-tong to abdicate the throne and proclaimed Cung-hoang, his younger brother, king in his place. Cung-hoang again, at the end of five years, was forced to yield the sceptre to Mac-dang-daong. This usurper after a reign of two years, resigned the crown to his son Mac-dang-duanh, and lived twelve years afterwards. Mac-dang-duanh reigned three years, when Nguyen-do, a general of the army, born in the province of Thanh-hoa, placed upon the throne a prince of the Ly dynasty, son of Chien-tong, but without entirely expelling the Mac family, who still remained masters of a considerable part of the country till near the close of the sixteenth century. The two families waged war during the whole of this time. At length the Mac family yielded, and retired into the mountains of the northern part of Tongking, called Cao-bang, the sovereignty of which was granted to them by the emperor of China. They were dispossessed of it about 1680, and restored two years after

by order of the emperor Kanghe: but soon after this family retired into China, abandoning entirely the country of Cao-bang, which has ever since remained subject to the king of Tongking.

A. D.		Length of reign.
1533.	Trang-tong (son of Chieu-tong). -	16 years.
1549.	Trung-tong (son of the preceding). -	8 "
1557.	Anh-tong (descended from Thai-to in the fifth generation).	
1573.	The-tong (son of the preceding). -	27 "
1600.	Kinh-tong (son of The-tong). -	19 "
1619.	Thán-tong (son of Kinh-tong). After having reigned 24 years, he resigned the throne to his son.	
1643.	Chan-tong (son of Than-tong). -	6 "
1649.	Than-tong, resumed the sceptre after the death of his son.	
1663.	Huyen-tong (son of Than-tong). -	9 "
1672.	Gia-tong (brother of the preceding). -	3 "
1675.	Hi-tong (posthumous son of Than-tong). -	30 "
1705.	Du-tong (son of the preceding). -	24 "
1729.	* Vinh-khanh (the adopted son of Du-tong. He was put to death by the <i>chua</i> , or perpetual regent of the kingdom, on account of his debaucheries, and received no honorary name after his death).	
1732.	Thuan-tong (son of Du-tong). -	3 "
1735.	* Vinh-huu (brother of Thuan-tong). After a reign of five years, he resigned the crown in favor of a nephew still a minor, hoping that a change of king would cause a change in the times, and put an end to the calamities which afflicted the kingdom. He died the twentieth year of his successor.	
1740.	* Canh-hung (son of Thuan-tong). -	46 "
1786.	* Chieu-thong (son of the preceding. He reigned not quite two years. Dethroned by the rebels of Cochinchina called 'Tay-son,' he retired to Peking in 1788, and there ended his days).	

FIFTH EPOCH.

Reign of the usurpers called Tay-son.

A. D.		
1788.	* Quang-trung. -	reigned 5 years.
1793.	* Canh-thinh (son of Quang-trung. In 1801, he changed the name of the years of his reign, calling them Bao-hung).	

Nguyen Dynasty.

1802.	* Gia-long. (Nguyen-do, the general who opposed the Mac family and restored the Ly dynasty, died thirteen years after,	
-------	--	--

leaving sons who were too young to succeed to his station of generalissimo. His son-in-law Trinh was therefore his successor, and Trinh transmitted his authority to his posterity. The son of Nguyen-do became the governor of Cochinchina, subject to the kings of Tongking, whose power was little more than nominal, the Trinh family administering the government of Tongking, and the Nguyen family that of Cochinchina. These rival houses were often at war with each other for several generations, until Nguyen-anh, who had reigned twenty-two years over the southern part of Cochinchina, and one year over the whole of Cochinchina, subdued Tongking in 1802, took the name *hoang-de*, king and emperor, and gave to his reign the name of Gia-long. (The two countries have since formed but one kingdom.)

1820. * Minh-minh (son of the preceding), and the present king.

ART. V. *Proclamation from the high imperial commissioner, concerning the murder of Lin Weihe.*

[This translation, with the notes, on pages 213 and 214, we copy from the Canton Press. No edict, on this subject, of a prior date, has been made public, so far as we have been informed.]

Lin, high imperial commissioner, &c., Tang, viceroy of Kwangtung and Kwangse, and E, fooyuen of Kwangtung, conjointly issue this proclamation, to the end that unauthorised communication between natives and foreigners be interdicted.

Whereas, it appears that the natives of the central land and the outside foreigners are not permitted of themselves mutually to give and receive—this being a circumstance which the established laws of the land most strictly prohibit;—therefore it is that in all matters relating to business, or to correspondence (between natives and foreigners), the high officers have appointed hong merchants for such purposes; and in so far as the supplying (of foreigners) with their daily meat and drink is concerned, the said high officers have furnished them with compradors, that there may be no occasion for fighting or quarreling, and that fraud and deceit may be duly prevented.

Now during the 5th moon of the present year, we find that the tungche, keunmin foo of Macao, with a certain weiyuen petitioned us, saying, that the English superintendent Elliot had sent them a note which contained

these and other words: "At Tseenshatsuy, on the ocean's surface (i. e. Hongkong), while your ships of war lie anchored there, it is very difficult for the foreign shipping to obtain the necessary supplies," &c., &c., &c. We, the imperial commissioner and viceroy found, that these war ships were there only on the preventive service, and not for the purpose of cutting off provisions from the foreign shipping; nevertheless, as the benevolence of the celestial dynasty cherishes men from afar, in order to subdue their hearts by goodness, and as our compassion extends even to their most minute concerns, so, finding that from our ships of war surrounding them, the hearts of the said foreigners were filled with fear and dread, out of our indulgence we permitted the cruisers to shift their moorings for the time being to Shakeo, thus setting the minds of the foreigners at rest: and further, at the time we sent the war ships to Shakeo, we gave orders to the weiyuen and others in their turn, to command Elliot to take the empty opium store-ships, and fixing a limited term, order them to get under weigh; and in respect to the merchant-vessels which had arrived or were going away, to let these set sail and those enter Whampoa: all of which is on record. But up till now, — a month and more — the opium store-ships did not get under weigh, and the merchantmen still kept looking about them until, as time rolled on, the number of ships daily increased; which in fine led to a number of the English sailors going ashore and getting drunk, when they forced their way into the village of Tseenshatsuy, and taking a man called Lin Weihe, who was passing by at the time, wounded him so severely, that he died! This is indeed going to the extreme of disobedience to the laws! In course, the cheheen magistrate of Singan district made a clear inspection of (*anglice*, held a coroner's inquest upon) the corpse of Lin Weihe. The different wounds he had received from a club or clubs, were all distinctly stated in his report to us — and at the same time he, in communication with the military officer of the district, apprehended Lo San, who had arranged the paying of the money as a bribe * to hush up matters: and on the very day that the disturbance was raised, how many sailors there were ashore — what ships they belonged to — how they possessed themselves of the club or staves with which they struck and wounded Lin Weihe, till he dropped down — what time it was that a certain ship's captain brought a foreign surgeon to wait upon and relieve the wounded man — what time they conveyed him to the sandy beach — what time he breathed his last — what man it was that gave orders about hushing up the matter with a bribe — how much money was paid down on the spot — who it was that seduced the relations of the deceased to grant a certain document by way of proof (that he had lost his life by accident) — in reference to the balance of the money not yet yaid, who it was that wrote out the promissory note for it — within how many days the said balance was to be paid in full: — these particulars, every one of them, came out in Lo San's evidence, as clearly and distinctly, one by one, as if they had been delineated upon a

* Captain Elliot denies that he paid the money as a bribe, he gave it as compensation to the widow and the orphans for the irreparable loss they had sustained.

map! And at the same time, the relations of the deceased having handed up the promissory note, and the same having been translated into Chinese, the name of the ship's captain specified therein — the name of the ship — the amount of the note — the date when due, and the person who guaranteed payment of the same:— every item corresponded most perfectly with the evidence given by Lo San! In one word, then, the murder is now fixed and settled (or traced home); what use to go groping about, and inquiring any further?

The English nation, having an officer intrusted with the management and control of the public affairs of that country, who went himself to the village of Tseenshatsuy to examine into and arrange this matter, ought immediately to produce the foreign murderer, that, according to the established law and custom, he may forfeit his life for the life he has taken: this would show due respect and submission, and be acting in conformity with the great principles of justice! But on the one hand, you will not deliver up the murderer; and further, you would not consent to receive our edicts — you only wished most unreasonably to throw the blame of the murder on the Americans.* Immediately after this, however, the American consul Snow sent up a petition stating vehemently in reply; that the charge was false. Again, with your excuses and explanations about “killing with malice prepense,” and “killing by mistake,” and “supporting widows and orphans,” and such phrases, all these are so many evasions to screen and varnish over the real facts of the case! Thus to wish that the foreign murderer may escape capital punishment, and that (the ghost of) the dead man may still be longing for revenge in the regions below, and his vengeance be unappeased: — to hold the employment of a nation's officer, and unjustly oppress the mane, of a murdered man (by depriving him of his expiatory victim), is this reasonable or not?

Had it been a Chinese who had struck and killed a foreigner, the officers of the celestial dynasty would immediately have given orders for the murderer, and executed him in open day. Take for example what occurred in the fourth moon of the present year: — there were some native soldiers who landed on the Praya Grande at Macao, and who struck at and wounded a foreigner. Now although the said foreigner recovered, yet we, the high commissioner and viceroy, commanded the offender to be seized and punished severely, according to the statute. On going back, we find that in the 19th year of Keenlung, there was a French foreigner called She-luy-she (?) who wounded with a musket a foreigner of the said country (England), called Chache Polang (George Brown?) so that he died. The viceroy and fooyuen of that time took the said Frenchman, and condemned him to be strangled, after having kept him some time in the prison of the district magistrate. There are records to this effect which may at any time be referred to. Besides this, there have been successively records kept

* The mandarins very falsely accuse captain Elliot of having imputed the murder to the Americans. All he said was, that, on the day of fatal affray, Americans and other foreigners were ashore as well as Englishmen.

of the other cases where foreigners have killed foreigners; how can the said country but be aware of the fact! He who kills a man must pay the penalty of life; whether he be a native or a foreigner, the statute is in this respect quite the same. Moreover, to give money as a bribe to hush up the matter, is a flagrant breach of the laws; the punishment is more or less grave in proportion to the amount of the bribe, and he who gives and he who receives it, are punished alike. And yet ye know not to deliver up the murderer and beg for mercy! On the other hand, you varnish over the truth with false pretexts, and give way to the most outrageous obstinacy! Why did you alone not reflect on the circumstance, that, as a foreigner has deprived a Chinese of his life, and as you are still obstinate in refusing to deliver up the murderer for condign punishment—how can we permit the Chinese to furnish foreigners with the necessaries of life, and not prohibit them from privately selling these to you?

Now it appears that the weiyuen and others have reported to us, that at Tseenshatsuy (or Hongkong), there are daily upwards of 100 comprador's boats, and several shops for the sale of rice, wine, and miscellaneous articles, opened near the seashore, for supplying the foreign shipping with provisions: it is in accordance with the regulations, that all such be now rigidly prohibited; and forasmuch as we now send our cruizers, that they take up different stations at Tseenshatsuy, and stop and seize all the comprador's boats that come from every creek and inlet to sell provisions to the ships:—and hereby rigidly forbid the people of the shops and stores near the sea to hold any clandestine dealings with foreigners. Besides all this, it is proper to unite these circumstances, and embody them in a clear and distinct edict, and forasmuch as we now issue this proclamation that the people belonging to every foreign ship may thoroughly know and understand: do ye then immediately in conformity with the contents of this proclamation, take the real murderer and deliver him up to us forthwith, that he be tried and executed! In sending cruizers to stop and seize the comprador's boats, and prohibiting the shops and stores near the seaside supplying you with any necessaries, as we are doing at present, this is in perfect conformity with the established law and custom of the celestial dynasty; but if the said foreigners have occasion to purchase the daily necessaries of life, we can only permit these in accordance with the law to apply to a linguist, who will petition the officers for liberty to supply a comprador; you cannot be allowed to carry on clandestine dealings with the Chinese, which will involve you in heavy penalties. Only wait till after the foreign murderer be delivered up, when we will then consult about and arrange this matter of supplying the compradors. It is proper that all tremble and obey! A special proclamation!

Taoukwang, 19th year, 6th month, 23d day. August 2d, 1839.

To be pasted up on the Praya Grande, Macao, on a spot secure from wind and rain.

ART. VI. *Two edicts from the keunmin foo of Macao, depriving the English of food, and ordering the servants to leave their employ.*

TSEANG, keunmin foo of Macao, San, cheheên of Heängshan district, and Pang, tsotang of Macao, hereby conjointly issue this proclamation, that all may know and understand.

We have just received a dispatch from their excellencies, the high commissioner Lin, the viceroy Täng, and the fooyuen E, which contains the following, viz.

“The English merchant-ships which arrived here during this present year, having gone in a company to anchor at Tseênshatsuy (or Hongkong) on the high seas, a number of sailors and others in consequence of this went ashore, got drunk, and raised a disturbance, which led to one of our people being deprived of his life. Immediately afterwards, a certain weiyuen commanded Elliot to produce the murderer for trial and execution. Who would have supposed it? Elliot in opposition refused to receive our edicts, and obstinately declined to deliver up the murderer! Previously to this, the said keunmin foo had commanded the wei-le-to (or procurador) to petition the governor of Macao, to give Elliot orders that he should forthwith bind the murderer, and deliver him up to expiate his crime; but we have no document from the keunmin foo stating that he has complied with our demands. Anterior to this, we, the high commissioner, &c., had given orders in reference to the empty store-ships which had discharged their opium, that they should forthwith get under weigh and return to their country, but they have already delayed upwards of two months, and scarcely eleven of their number have yet been reported to us as having passed the Ladrone islands; the rest of them still keep loitering and looking about them! And further, in respect to Dent and others, whom we had received a positive imperial edict to expel and drive back to their countries, hardly six individuals of them are yet reported to us as having set sail, the rest are either staying at Macao, or living on board the foreign ships, neither one nor the other has any intention to fix a date for returning home; they delay and put off in a manner which amounts to positive opposition to the laws of the land! Now we find that among crimes, none is greater than the crime of murder, and among the affairs of this world, none are of so much unportance as those where human life is concerned. What reason is there why

we should permit you to screen a murderer, and decline acting in a case of this kind? Respectfully searching the records, we find that during the reign of the emperor Keäking, because that the outside foreigners showed a great deal of pride and perverseness, and conducted themselves most unsubmitively, therefore an imperial edict was with deep respect received, commanding, that "on the receipt of this imperial order, prohibit all entrance to Macao by water, and cut off all supplies of food, &c: Respect this!" And at this present moment, as the circumstances of the case are somewhat similar, so ought we to set to work in a somewhat similar manner. But then this present affair has reference to the English foreigners *alone*, and as they persist in offering opposition to the laws, we cannot but show them the stern majesty of the celestial empire. As for the Portuguese dwelling at Macao, and the foreigners of every other country whatever, they are not one hair's breadth concerned in the matter. As respects the Portuguese dwelling at Macao, let them make out a clear and distinct list of the rice, flour, vegetables, fowls, ducks, and other eatables that they require for their daily consumption, and the cooked victuals for the black slaves; which done, let them petition the said keunmin foo and tsotang, who will examine the list and settle the quantity, and give a chop along with it to show the shopkeepers and others, that they may sell this amount to them the same as ever, to manifest our sympathy and compassion. As regards the English foreigners, however, who dwell at Macao, the half of them are captains and mates of ships, who, when they come to Macao to live, by forming connections with the Portuguese, and having constant intercourse with them, come to be as intimate as brothers. These said Englishmen who live at Macao, pay very handsome sums for the houses they rent, to serve as bait to their hook. The Portuguese covet the rents thus to be obtained, and utterly forget the preventions they ought to take against these robbers—birds who wish to possess themselves of their nest! It is indeed hard to secure that these Portuguese will not supply (the English) with provisions, thus getting most egregiously duped and befooled by them, and it is also not certain that they may not feel pleasure in giving them this assistance! We, the high commissioner, viceroy, and sooyuen, wish to subdue the hearts of these southern barbarians according to the principles of reason, and forasmuch as looking up and embodying the goodness of the great emperor, fearing lest their hearts be at the extremity of fright and agitation, and feeling anxious about their simplicity and stupidity in allowing them-

selves to be duped, cannot but completely explain all these particulars, and issue this edict, that you (the inferior mandarins) may immediately in your turn communicate the same (to the Portuguese,) &c., &c., &c.

Now we the said keunmin foo, tsotang, &c., having received this edict, find that some English sailors having got drunk, deprived one of our people of his life, and yet set themselves against the delivering up of the murderer; that the merchant-vessels which had arrived, would neither enter the port to Whampoa, nor spread their sails and go back; that the empty opium ships which had delivered their opium, as well as those vagabond foreigners who had been expelled by a positive imperial edict to that effect, had not entirely returned to their country. In every instance have these English shown the utmost contempt and recklessness, which is equivalent to the putting of themselves by their own act out of the pale of the laws! Now we the said keunmin foo, &c., have received a communication from his excellency the imperial commissioner, and the officers of the provincial government, commanding that a display be made of the stern majesty of the celestial empire in cutting off the provisions; but this view or intention is meant to apply to the English foreigners only; the Portuguese who dwell at Macao, as well as the foreigners of all other countries, being in nowise concerned in this matter, ought as formerly to remain quiet in the full enjoyment of their wonted *otium cum dignitate*. But as the English foreigners who are now residing at Macao, have firm friendship and constant intercourse with the Portuguese, it is hard to secure that these last may not clandestinely buy provisions for the English, and it is equally difficult to secure that our own shopkeepers and common people, may not clandestinely supply them with the same.

Besides then, in accordance with the edict from the high officers, issuing our commands to the Portuguese wei-le-to (or procurador), that he communicate the same to the governor of Macao, that he in his turn command all the foreigners dwelling at Macao, that with one accord they permit not the English people to be supplied with the necessaries of life:— as relates to the provisions required for the daily sustenance of the Portuguese, and all other foreigners dwelling in Macao, whether it be rice, flour, vegetables, fowls, ducks, fish, flesh, or other eatables, as also the food prepared and bought for the black slaves, let lists of the men, women, children, servants, &c., be made out, and these lists passed to the procurador, who will sum them up, and acquaint us the keunmin foo, &c., with their total amount, who

having examined the same and settled the quantity, will conformably give orders to the said shopkeepers and others that they duly supply the same:—besides all this, really fearing lest many of our native people and shopkeepers now dwelling in Macao, may not fully know our manner of acting, we hereby unite the circumstances, and issue this clear and perspicuous edict, and by these presents command that all the natives dwelling at Macao, shopkeepers, &c., &c., make themselves thoroughly acquainted therewith. Do ye supply the Portuguese, and all other foreigners (excepting the English) residing at Macao, with the provisions and necessaries as specified in the duly examined and certified accounts; beyond this, sell not one hair's breadth more! which will lead to the English receiving sustenance by stealth and other evils of like nature! In reference to the compradors, servants, and others in the employment of Englishmen, we have already issued a proclamation that they be immediately driven forth. As for you shopkeepers, who have long been resident at Macao pursuing your business, you surely will carry out these views with all sincerity; but if you dare clandestinely to sell provisions (to the English), so soon as discovered, your persons will be seized and most rigorously punished, and your shops will be closed and sealed up! Most assuredly not the slightest indulgence will be shown you. Regarding the said English foreigners, if they can repent of their crime and awake to a sense of their error, and immediately deliver up the murderer, then we, the said keunmin foo, &c., &c., will petition the high officers of government, that as an act of extraordinary goodness they extend mercy towards them, and removing these restrictions, permit them to transact business as before. As for you, the said shopkeepers and native inhabitants of Macao, ye have all properties and lives! Let each and every tremble and obey! A special proclamation!

Taoukwang, 19th year, 7th moon, 7th day. August 15th, 1839.

Tseang, keunmin foo of Macao, San, the cheheën of Heangshan district, and Pang, tsotang of Macao, conjointly issue this clear and perspicuous edict, to the end that all men may know and understand, viz.

Whereas it appears that during the present year, the merchant-ships of the English nation which had arrived here, went in a company, and anchored at Tseenshatsuy on the ocean's surface (or the high seas), and that they would not on arrival enter the port of Whampoa, which led to a number of their sailors and others going ashore and getting drunk, when they raised a disturbance, which ended in depriving one of our people of his life!

Now the high officers of government have already communicated their orders through a weiyuen to Elliot, commanding him forthwith to deliver up,

the murderer for trial and punishment. But who would have supposed it! Elliot has now for a long time refused to deliver up the murderer, and in reference to the empty opium store-ships which were ordered to get under weigh and return home, it appears that hardly a dozen of them have yet been reported as having passed the Ladrones! and in so far as regards Dent and the other foreigners whom we had received a special imperial edict to expel and send back to their countries, those who have been only reported to us as having gone home scarce amount to six individuals! the remainder of the opium store-ships, and the foreign vagabonds, still keep loitering here and looking about them the same as ever! In every instance have delay and procrastination been persisted in, which amounts in fact to a determined opposition to the laws! and therefore it is, that the high officers indignant thereat, have resolved to show them the majestic severity of the celestial empire, and forasmuch as without discriminating between those who remain on shipboard, or those who dwell at Macao, we shall treat them in the same way, by utterly cutting off their provisions, and in other respects treating them with increased rigor. Besides the Portuguese, and all other foreigners of different countries now dwelling at Macao, whom this affair does not at all concern, and whom we permit to be supplied with their necessaries as heretofore, in order to make a distinction, and for this end now issue another special proclamation; besides these, we find that the English foreigners depend entirely upon compradors, servants, Chinese traitors and others of that ilk, for the supply of their food, who buy the same from native shops and stores, and give it to the said Englishmen.

Having now received the commands of the high officers of the provincial government to cut off the supply of provisions to the English, and to execute the same more rigorously, we ought on the instant to have seized these said compradors servants (or "sha wan"), and Chinese traitors, and calling cut their names one by one, consign them to examination and sever punishment! out of pure indulgence, however, we first issue this clear and intelligible proclamation beforehand, that the compradors, servants, Chinese traitors and others in the service of the English foreigners whether on shipboard or ashore, may all know hereby, that we have limited the term of THREE days, within the which they must return to their homes, and follow after some other occupation. If they dare to delay or still render services (to the said English), most certainly they will be apprehended and punished with the utmost rigor of law! Assuredly we shall show no indulgence! Tremble and beware! Do not oppose! A special edict!

Taoukwang, 19th year, 7th moon, 7th day. Macao, August 15th, 1839.

ART. VII. *Journal of Occurrences: British chamber of commerce; notice for a criminal court; departure of U. S. ships Columbia and John Adams; interdiction of provisions; meeting of*

British subjects; servants leave; notice of leaving Macao; the British commission goes to Hongkong; attack on the Black Joke; English leave Macao; edict from the commissioner; arrival of the ship-of-war Volage.

LONG will the occurrences of this month be remembered. In such times, it is particularly difficult to keep a full and faithful record of public events. Many rumors and reports, bearing for a while the stamp of authenticity, prove untrue; and many things, which actually occur, are either purposely concealed from the public, or by mistake are misrepresented, or by design are falsified.

A meeting of the British merchants residing in Macao was held, on the 3d instant, at the house of the chief superintendent, for the purpose of organizing a British Chamber of Commerce. Owing to the peculiar circumstances of the case, merely a provisional chamber was organized; James Matheson, esq., was chosen provisional chairman, and Mr. Scott, (the secretary of the old chamber) appointed provisional secretary.

August 5th. Captain Elliot issued the following public notice to British subjects, announcing the session of the first court of criminal and admiralty jurisdiction held in China. For the particulars of that court, the reader is referred to the second article of this number.

Public Notice to British subjects.

Notice is hereby given that a session of the court of justice, with criminal and admiralty jurisdiction for the trial of offenses committed by her majesty's subjects within the dominions of the emperor of China, and the ports and havens thereof, and on the high seas within one hundred miles of the coast of China, will be holden at Hongkong on board a British ship on Monday, being the twelfth day of this instant, August, by nine o'clock in the forenoon of the same day; and all manner of persons, being her majesty's subjects, that have anything to do before the said court, are required to be there and then attending. God save the queen. CHARLES ELLIOT, &c.

Aug. 6th. The U. S. frigate *Columbia*, commodore Read, and the U. S. sloop-of-war *John Adams*, captain Wyman, left the Chinese waters for the Sandwich Islands. These ships have suffered much from sickness during their stay here. No doubt it would be for the honor and for the interest of the United States, if their government would keep a small squadron constantly in these seas.

Aug. 15th. All supplies of provisions, for British subjects in Macao, and on board ship, were interdicted by the Chinese government. See page 219.

Aug. 16th. Captain Elliot called a meeting of British subjects for the purpose of concerting measures for their personal safety; he informed them that it was impossible for him to surrender any subject of her majesty to the Chinese authorities.

Aug. 17th. All the Chinese servants and compradors in the English families left their employers; and the orders, interdicting food, were reiterated, and in a remarkable manner: several placards, containing the substance of the interdict, written in large characters were pasted on boards, which were carried by policemen through all the principal streets and markets of the town.

Aug. 21st. The following public notice to British subjects was issued; and preparations were made by many families for early embarkation. Most of the houses, however, were supplied with provisions by Portuguese servants, who obtained them without much difficulty. The prices of provisions at this time were unusually high in consequence of the country people being forbidden to bring any into town, and the poorer classes of Chinese suffered much in consequence.

Public Notice to British subjects.

Having ascertained that the Portuguese inhabitants of Macao are called upon by the commissioner to withdraw their servants from her majesty's subjects, and to refuse them supplies, or any manner of assistance, the chief superintendent is unwilling to compromise them further in the present difficulties with the Chinese, and has therefore to give notice that he will embark this evening, with the officers of her majesty's establishment.

Her majesty's subjects who think fit to accompany him to Hongkong, will have the goodness to understand, that the chief superintendent does not propose to leave the neighborhood of this anchorage till the morning of the 23d instant. By order of the chief superintendent, &c., &c., &c.

L. S. (Signed) EDWARD ELMSLIE, Secretary and treasurer.

Aug, 23d. According to the previous notice, captain Elliot proceeded to Hongkong with his family. Many of the families were in readiness to follow.

The American consul Mr. Snow, who has resided in Macao since the 25th of May last, embarked in a chop-boat on the 22d instant for Canton, where the merchants of his country continue their residence and commerce, without any molestation, beyond what is occasioned by the state of public affairs.

Aug. 24th. A small schooner, proceeding from Macao to Hongkong, was boarded by Chinese; the most melancholy consequences followed, as will be seen by the depositions, given by the survivors of the crew. It is exceedingly important that the authors of this attack should be ascertained; that satisfactory explanations be given, and reparation made, so far as reparation is possible. To us it seems most probable that the act was committed by pirates, though some suppose it was done by governmental cruizers. The truth of the matter should be sought out and made known.

Deposition of the Tindal.

Haesan, the tindal, being examined before the committee of management, deposes as follows:

Left Macao on the morning of the 24th at 6 A. M., there being on board seven Lascars, himself, and Mr. Moss, passenger. The boat belongs to Mr. Just: owing to contrary tide, anchored at 6 P. M. under the south end of Lantao island. Two men were on the lookout, who at about 10 o'clock gave the alarm of boats approaching, when 5 or 6 pulling boats filled with men immediately ranged alongside, and began to massacre the crew. Deponent jumped overboard, and holding by the rudder, remained about half an hour in the water. The boat had personal baggage and stores on board, which the night before were taken from Mr. Just's house to the *Black Joke*. The Chinese took away several boxes, but not all. The boats remained alongside about half an hour, and then deponent got on board, and found Mr. Moss, who told him that the crew were murdered. Attempts had been made to fire the vessel, by means of tarred rope, gunpowder, and clothes; he extinguished the fire by throwing on water. Soon after the Harriet hove in sight, took them in tow, and brought them to the *Typa* this morning. A mandarin knife and cap were found on board the *Black Joke*.

Deposition of Mr. Moss.

Mr. Mark Moss, a British subject, born in London, deposeth as follows, before Mr. Van Basel, Dutch consul, Mr. Paiva, late procurador of Macao, and Messrs. Kerr and Leslie, British merchants, in Macao on the 25th day of August, 1839:

"I left Macao on board the *Black Joke*, containing personal and household property, on Friday night last, the 23d instant, to proceed to Hongkong; having got as far as the point of Lantao, anchored there yesterday evening at about 5 o'clock; supped, and went to lie down. At about nine o'clock, I heard the crew consisting of Lascars cry out, "Wy-lo! Wy-lo!" ran to the skylight, and saw three guns fired at us loaded with charcoal; when I reached the deck, I saw three lascars cut down, and received myself a cut on the left side of the face, on which I went below, when I heard the Chinese crying out, "ta, ta!" and on putting my head out of the companion, got a most severe wound on the top of my head from a pike. The Chinese then laid hold of me, stripped me of my clothes, and

cut my arm in three places as I put it up to save my head. They then proceeded to plunder and break up the boat, and coming down with lights into the cabin, one of them, seeing I had a ring on my finger, attempted to cut the finger off, but I took off the ring, and gave it him; another, seeing my watch, took it out of my pocket, and, laying hold of my ear, called to a man who came with a sharp instrument, cut it off with a large portion of the scalp on the left side of my head, as you now see, and put it in my mouth, attempting to push it down my throat. I was then knocked about on all sides by the Chinamen, and saw them bring a barrel of gunpowder, with which they attempted to blow up the boat but did not succeed. I was rendered insensible from the smoke caused by the explosion, and was nearly suffocated, when making a last effort, I reached the deck but found no one there. I called out the names of some of the Lascars, and seeing a rope moving astern, found that the tindal alone of the whole native crew had saved himself by hanging on to the rudder under water. He came up and gave me some water, of which I drank five basons full, and felt refreshed. A short time after this, the Harriet, capt. Hall, came up, and I suppose, from the Chinese leaving so suddenly, that they had seen the vessel. From capt. Hall, I met with the tenderest treatment; he took me on board, dressed my wounds, and taking charge of my boat, brought me to Macao this morning at about 5 o'clock."

Deposition of the physicians.

This is to certify that we have carefully examined Mr. Mark Moss, who reports that he was attacked last night by some persons who boarded his boat, and inflicted several severe wounds on his person. We saw him this morning at eight o'clock, and found that he had received the following injuries.

On the head. A deep wound over the left eyebrow, and extending across the arch of the nose, the bones of which have been completely divided. An oblique wound on the forehead about two inches long. The left ear, with a portion of the scalp, has been cut away, leaving a large open wound. There are also two smaller wounds on the head.

On the left arm, forearm, and hand. At the lower part of the arm, there is a deep wound extending across the limb and dividing the external condyle of the humeri. In the middle of the forearm, an extensive deep wound,—the fascia has been torn and the muscles much lacerated; at the lower part of the forearm near the wrist, another deep wound down to the ulna, which bone has been divided; on the hand a deep wound at the back of the thumb, almost separating this member from the hand. Besides the above, there are also several wounds on the body and limbs which are of little consequence. From the severe injuries now described we consider the man to be in a dangerous condition.

Macao, Aug. 25th, 1839. (Signed) R. H. Cox, W. LOCKHART.

Aug. 25th. A committee of British subjects, appointed on a previous day, were repeatedly in session. It was unanimously agreed, as we understand, that they should all leave Macao next day; it was also said that his excellency the Portuguese governor would be present at their embarkation, and afford every possible assistance and protection. During the evening, a rumor was abroad that Chinese soldiers were in town, in disguise, and that an attack on the English houses, during the night, was meditated. What gave rise to this rumor, and whether there was any truth in it or not, we have been unable to learn. Considerable excitement was created, but the night passed away without any disturbances.

In the afternoon of Monday, August 26th, the embarkation took place; men, women, and children, all alike were hurried from their residences, to seek a secure retreat on board their ships. This was their only peaceful course. Most of them proceeded direct to Hongkong; the others repaired to the anchorage in the Typa. The little fleet, consisting of small boats, schooners, and lorchas, crowded with passengers, presented an affecting spectacle as it moved slowly away from the harbor. But we forbear to speculate on what will be the consequences of this memorable event. Would that timely and friendly interposition of western governments had prevented such an issue

During these proceedings in Macao, the imperial commissioner and the governor of Canton remained at Heangshan, about midway between the provincial city and Macao. A small detachment of troops, however, were quartered at Tseenshan, just beyond the Barrier, within sight of Macao. In the expectation of collision, probably more than one half of the Chinese inhabitants of Macao, left their homes, seeking safety in neighboring villages. They are now, at the end of the month, beginning to return; provisions are being supplied plentifully; and it is rumored that the commissioner and governor will in a few days pay the Portuguese of the settlement a friendly visit. While at Heangshan they issued a proclamation, which is here introduced, as it sums up the chief points of difficulty between the two parties, and announces the imperial law and punishment upon those who introduce opium. Whatever speculations may be made upon the use of this drug as a pleasurable, and (if not in excess) harmless luxury, it is evident that the Chinese government considers it only as a grievous burden, and is determined to remove it at any risk.

Lin high imperial commissioner, &c., &c., and Tang, governor of the Leang Kwang, again publish a clear proclamation. In the sixth month of this year, we received the imperial commands to promulgate the new laws, concerning those foreign ships which bring opium. If they endeavor secretly to sell it, it is ordered that the principals shall be immediately decapitated, and the accessories strangled, and the property entirely confiscated to government. During six months of this year, we have been permitted to remit the punishment of death for the offenses of those who voluntarily surrender their opium. This new law of the heavenly dynasty, all foreigners who come to Canton to trade must obey implicitly; now we, the commissioner and governor, do fully explain the particulars in the clearest manner, that all you foreigners may know them.

1st. All ships which bring no opium, shall clearly announce their wish to enter the port, when, waiting until they have been examined, they can unload their cargoes. They are not allowed to loiter.

2d. All ships bringing opium clandestinely, shall immediately make a surrender of it according to the orders, and their offenses shall be remitted; after a complete surrendry, they are permitted to enter the port, open their holds, and trade.

3d. If any ships presume not to enter the port, then let them instantly return to their own country, when they will not be pursued.

4th. Let the murderer who took the life of Lin Weihe be instantly given up, and not implicate all the foreigners in the same crime by their covert concealment of him.

By these heads, do we the commissioner and governor show our compassion for you foreigners, clearly explaining them that we may lead you in this new path. But if you are obstinate, will not hear and obey them, but follow your own inclinations, or think of going into bye places here and there secretly to dispose of your cargo, then it will be evident that at heart you are obstinate; and whenever you are taken, then you will be sentenced according to the new law. If you still presume upon your numbers and oppose, it will be impossible to discriminate between the gems and the pebbles [the good and bad], but all must be punished; and this punishment cannot be impeded by a subsequent repentance. Let each one tremblingly obey. A special edict. Taonkwang, 19th year, 7th month, 16th day. (August 25th, 1839.)

Her Britanic majesty's ship of war, Volage, H. Smith, esq., captain, anchored in Macao Roads on the 30th; but soon after sailed for Hongkong. At Canton, everything remains quiet; preparations are making for the triennial examinations, now near at hand. At Hongkong, provisions are procurable, but in limited quantities, and at high prices.

